



The primary purpose of WBCTV is governmental (broadcasting Common Council and other government meetings and information); the second purpose is educational (school programs); and the third purpose is for shows produced by West Bend Community Television. Public access is provided only as time and facilities permit after the first three purposes.

Public access is provided as a means to improve communications between and among, and to otherwise serve the present and future needs of, the citizens, government and private and public institutions, organizations and enterprises of the City of West Bend and surrounding communities. WBCTV encourages the use of its facilities and equipment by the public for the production of programs on the public access television channel(s). WBCTV, at its discretion, may impose reasonable limitations on any of its resources in such a way as to assure fair and viable access for all.

### Definitions

- A.) **“User”**. Any individual, group, or organization applying for use of the Public Access facilities.
- B.) **“WBCTV”**. West Bend Community Television
- C.) **“Director”**. West Bend Community Television Coordinator.
- D.) **“Studio”**. The space occupied by WBCTV at City Hall

### Operating Guidelines

The availability and administration of the Public Access channels and equipment are the responsibility of the Coordinator.

- A.) When a request for channel time or use of WBCTV equipment and/or facilities exceeds availability, priorities are assigned in the following order.
  - 1.) First priority will be given to regular users. Second priority will be given to first time users, and third priority will be given to occasional users. Regular users are those who prepare programs for cablecast on a regular

weekly basis. No more than 50% of the available time will be committed to regular users.

- 2.) Priority will be given first to users who live in the City of West Bend and second to those who live in the geographical area served by the system.
  - 3.) All other users will be taken on a first come, first served basis.
- B.) All users reserving studio time for productions must make a reservation three weeks in advance with the Coordinator. Studio time will be limited to four hours per month and no more than two hours per day for any user.
  - C.) All requests for studio, portable, and remote equipment or channel access time must be made one month in advance with the Coordinator. All users must sign a liability agreement for coverage of damage to equipment. The multi-camera system in the Council Chambers at City Hall may only be operated by authorized WBCTV employees.
  - D.) All users will be under the supervision and authority of the Coordinator.
  - E.) Minors will be required to have a parent or guardian sign out equipment.
  - F.) Users may not interfere with the production and/or studio usage time of another person. No smoking, eating, or drinking is allowed at any time in the WBCTV studio. All users under the influence of alcohol or drugs are prohibited from use of WBCTV access channels, facilities and equipment.
  - G.) If technical assistance is needed for a project that is outside of the normal work staff hours, arrangements must be made with the Coordinator prior to scheduling the project.

## Equipment

- A.) Any user who uses WBCTV equipment must submit a proposal and program for telecast within twenty-four (24) days of use of equipment, or pay rental charges for the equipment used, and replace any videotape which may have been used. If an extension of time is needed, the user must submit a program outline with a revised timeline to the Coordinator, in order to have the extension considered.
- B.) WBCTV equipment may only be used for programs to be telecast on the local public/education/government channel(s). WBCTV equipment may not be used for personal or private gain.
- C.) Users are financially responsible for any damage to, or theft of, any WBCTV equipment while in their possession. Users are also responsible for any malfunction or damage to WBCTV production facilities and/or equipment. If damages do occur, WBCTV staff will assess any and all equipment, and charge the user accordingly.

- D.) Portable equipment may be checked out for 24 hour periods. Equipment checked out on Friday must be returned on Monday. If there is no reservation on equipment, it may be checked out for another 24 hour period. All users must be certified by workshops and approved by the Coordinator.
- E.) Cancellations or changes in equipment reservations must be made at least 24 hours in advance, in order to allow WBCTV to make the reserved equipment available to other users.
- F.) Late return of equipment may jeopardize the use of equipment in the future. The Coordinator has the final say in use of equipment.
- G.) In all cases, equipment borrowers must fill out an access equipment request form.

### Channel Use

- A.) Scheduling of programs aired on the Local Government and School Cable Channels will be handled by the Coordinator. The Coordinator will take into consideration; time, audience, and diversity of programming.
- B.) Commercially produced programming, other than purchased/free film services, must have a local individual or group sponsor to accept responsibility for the program. Users who sponsor imported programs must have their copyright release signed by the producer and in the WBCTV office 24 hours prior to any telecast of their program.
- C.) All programs must be in the WBCTV studio 24 hours in advance of the scheduled telecast time. This includes any taped segments for use with a live production, unless previous arrangements have been made with the Coordinator.
- D.) A copyright release and release of all other rights is required for broadcast. The master copy remains the property of WBCTV. All program rights belong to the City.
- E.) Users of regularly scheduled and/or live programming on WBCTV will be considered in default of their regularly scheduled programming contract and may have reservations cancelled and/or be restricted from regularly scheduled program slots completely for any of the following reasons:
  - 1.) Lateness
  - 2.) Failure to begin or end programming at required times.
  - 3.) Poor technical performance and resultant poor quality of programming.

- 4.) Content violation, as defined below:
    - a.) Obscene material
    - b.) Commercial advertising
    - c.) Any lottery, or any advertisement or information concerning any lottery.
    - d.) Any promotional material concerning products or services presented for the purpose of any solicitation of money or other things of value, unless specifically exempted under the terms of this document.
    - e.) Any material which constitutes, libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark or copyright or which might violate any local, state or federal law.
  - 5.) Such other reasons as the Coordinator determines adversely affect the operation of WBCTV or the channels under its control.
- F.) Advertising is prohibited on all WBCTV channels. This does not prohibit acknowledging sponsorship.
- G.) Every program produced by a user will have the user's name as the sponsor at the end of the program, in a size legible to the viewing public. If the program is imported and being sponsored by a user, the Coordinator will be responsible for putting the sponsor's name on the scroll/schedule.
- H.) Programs which the Coordinator has deemed to be unsuitable for all viewing audiences will be telecast only after 9:00 p.m. A viewer discretion warning will be placed at the beginning of the program, before the program content begins. This will be put on by the Coordinator and will also be noted in the local newspaper and the scroll/schedule.

## Fees and Charges

The West Bend Community Television Committee shall have the authority to establish fees for the reproduction of tapes and other access center services on an annual basis which reflect the cost of use of equipment, materials and labor.

Any individual, group, or organization requesting a copy of a program must pay a fee. Fees for governmental or educational institutions may be waived at the discretion of the Coordinator if she/he determines that the waiver is in the public interest. .

To request a copy of a program you need to call or e-mail with the name of the program to be copied (as well as a name & phone number to call when the copy is done). We will now provide the media (DVD or VHS). The charge for copies is \$10/per copy.

## Disciplinary Action

- A.) WBCTV reserves the right for the Coordinator to refuse services on a temporary or permanent basis or otherwise indicate suspensions of users interfering with or jeopardizing WBCTV's operations. This shall include all policies and procedures under which WBCTV provides training, equipment, facilities, channel space and other services.
- B.) WBCTV staff may request that any person leave the premises immediately, under any of the following circumstances:
  - 1.) The person appears to be under the influence of alcohol or drugs, or consumes, sells or dispenses drugs on City premises;
  - 2.) The person interferes with the orderly conduct of WBCTV staff, activities, facilities or programs;
  - 3.) The person is currently under user sanctions or disciplinary actions.

## Claims

The user is responsible for any claims arising out of the use of WBCTV equipment and/or facilities and agrees to indemnify and hold harmless West Bend Community Television, its directors, officers and staff, against any such claims or any claims arising out of the use of the program material to be cablecast or any breach of the user's signed statement of compliance, including but not limited to any claims in the nature of libel, slander, invasion of privacy or publicity right, non-compliance with applicable laws, and unauthorized use of copyright material. The user is responsible for obtaining all necessary clearances and arrangements with program owners and all necessary ownership and royalty rights will be obtained including copyright and performing right. The user will bear all responsibility for all program content and any consequences of program production and distribution on the access channel(s).

## Appeals

Any person adversely affected by an action or decision of the Coordinator may appeal to the Community Television Committee. The appeal shall be in writing and filed with the City Clerk within ten days of the action or decision appealed.

Revised 3/08

August 14, 2009