

2016



# Lake County PEG TV Members Manual

Lake County PEG TV  
Channel 8 MediaCom  
8/23/2016

**Dear Lake County Community Resident,**

Lake County PEG Channel welcomes you to community television. This handbook will answer many of your questions about community television and how you can best use the facilities.

Lake County PEG Channel offers many opportunities to the community. You can choose to produce non-commercial television programs, air your finished programs utilizing TV facilities and volunteer on other public access productions.

As a member of Lake County's community access channel you may be trained to use the equipment in order to produce and create non-commercial television programs; however, before you are allowed to take out the equipment you must be trained and certified. You are required to take complete responsibility for programs that you produce.

The following information was compiled to ensure that your experience at Lake County PEG Channel is a positive one. By following the simple steps set forth here, our program will be eligible to be played on our station.

We will not discriminate because of content, however there are viewing & time restrictions to the target audience.

We look forward to a strong and continuing relationship in providing top quality local access and community programming. By working together we can develop an outstanding television station.

Chairman of the PEG Board  
Ed Robey

### **Vision Statement**

Community access television's vision is to provide a public access media channel that enables a vibrant, diverse, and evolving community to express its creativity, explain its ideas, share its cultures, and embrace the individual's right to freedom of speech.

## **1.1 -- MEMBERSHIP**

Anyone can become a member of LCPTV Channel 8.

To participate in the use of LCPTV Channel 8 facilities, you must become a LCPTV Channel 8 member and reside in Lake County. To become a member, you must attend an orientation meeting and submit a signed Certified User form. You will be asked to provide a valid California drivers license or other photo ID proving you are a Lake County resident. The information requested is to prove residency.

If you are under 18 years of age and want to become a member, you must also have the Parental Consent and Liability Agreement signed by your parent or guardian.

## **SPONSORING PRE-PRODUCED PROGRAMS**

Any LCPTV Channel 8 member resident of Lake County can underwrite pre-produced programming on LCPTV Channel 8. If the program contains copyrighted material, you must submit a letter from the copyright owner granting you and LCPTV Channel 8 permission to air the program over LCPTV Channel 8. Further, the program must meet the required guidelines and the sponsor must submit a cablecast agreement with the tape. The underwriter is responsible for the content of the program and their phone number will be made available to viewers who wish to comment on the program.

## **BECOME A VOLUNTEER CREW MEMBER**

Each public access program that is produced in the studio requires several studio-certified crew members! In order to become certified in the studio, you must complete the STUDIO CLASS. Once you have taken the class you can fill out a volunteer form to get your name placed on the studio volunteer list. If you do not fill out this form, your name will not appear on the volunteer available list. Volunteers are considered at-will employees and are accepted and/or rejected by management or the Peg Board.

## **PRODUCE PROGRAMS FOR LCPTV Channel 8.**

If you choose to produce a program series you must first submit a program proposal to the PEG staff and/or Board for approval. The content of your proposal is not in question, rather the method and feasibility of the production will be assessed.

If you are producing a Field production you may schedule Field equipment. If you are producing a studio series, your proposal may be placed on the waiting list.

We recommend that first time producers schedule a meeting with the PEG staff and/or Board to discuss your program proposal in detail. In this meeting handouts and recommendations are provided.

## **2. PROGRAMMING POLICIES**

**2.1** - Use of access facilities and equipment by LCPTV Channel 8 Members must result in programming that is intended for and made available for presentation on LCPTV Channel 8.

It is the policy of the City of Clearlake, Mediacom and the PEG Board to cablecast any P.E.G. programming that is not in violation of Federal, State, and local laws and to restrict that material that is not protected by the Constitution

of the United States or the State of California. There are some specific and narrow limitations placed on the types and usage of programming produced, as well as how the equipment and facilities are used. Fees may apply.

**2.2 - Program sources and content may include any of the following options:**

- a.** Live cablecast. May include local government and other public meetings; major educational meetings and events as allowed by City-owned equipment/cablecast systems.
- b.** Off-satellite programming. May include a variety of P.E.G. access programming as available at no or low cost for P.E.G. access uses.
- c.** Tape delayed cablecast. May include re-runs of "live" or outside source programming and off-satellite recordings.
- d.** Locally produced programming. May include programs produced/provided by City, County, School or College Departments/Divisions, or programs submitted by any of the local educational institutions, their staff, or their students.
- e.** INDEPENDENT PRODUCERS -- Programs made by independent producers using LCPTV Channel 8 facilities and equipment for a fee. LCPTV Channel 8 staff will attempt to help independent producers find volunteers for their productions.
- f.** IMPORTED PROGRAMS -- Programs made outside the community and provided by citizens of the Mediacom cable service area. Persons providing these programs will have their name added at the end of the program identifying them as provider of the program. Copyright restrictions may apply.
- g.** OTHER PROGRAMS -- Programs made outside the local community especially for public access distribution may be scheduled at the discretion of the PEG staff and/or Board.
- i.** CONTRACT PRODUCTIONS-- Programs made by the PEG staff.

**3 - COMMUNITY MESSAGE BOARD**

Bulletin Board programming -- During all hours of operation, when other programming is not available, a Bulletin Board will be used to display county wide information and announcements.

The purpose of the Community Message Board is to provide Lake County residents and nonprofit organizations with an electronic message service for announcements of interest to Lake County cable viewers and to provide an avenue of promotion for LCPTV Channel 8.

Only non-profit organizations or free events may be submitted for the LCPTV Channel 8 Community Calendar, however, events publicized may be outside Clearlake. A for-profit organization may post a message, as long as the event is of a non-profit nature. The person representing a nonprofit organization or event verifies that he/she has the authority to do so by signing the Message Board Form. Non profits must include their non-profit numbers.

- a.** SUBJECT MATTER -- Messages on the Message Board are restricted to nonprofit events or services.

**b. COMMERCIAL ANNOUNCEMENTS** -- Announcements of a commercial nature or on behalf of a for-profit business or service are not allowed on the Bulletin Board. However, commercial businesses or services may be mentioned as a sponsor of a nonprofit event.

**c. PRICES** -- Specific information about prices or admission charges will be permitted in not-for-profit organization announcements.

**d. EDITING** -- LCPTV Channel 8 staff or volunteers who post the messages reserve the right to edit messages for length, style and conformity to policy.

**e. MULTIPLE ANNOUNCEMENTS** -- Announcements that simply restate information already submitted that week will not be used. Some events may have multiple activities and, thus, may justify several individual announcements. For example, individual events for Lake County Fair activities might each be given a separate message. In this case each event must be submitted on a separate Message Board Form.

**f. SCHEDULE OF MESSAGES** -- Posting of messages is scheduled by the PEG Board appointee or Manager (or his/her designees). Weekly deadlines for submission of messages will be publicized on the Bulletin Board.

**g. ANNOUNCEMENT TIME** -- Each announcement will run for the duration of the event. Repetition of announcements for the same event or service will occur in subsequent weeks ONLY IF space and time permit.

**h. DONATIONS SECTION & THANK YOU'S!**

**3.1** - No information concerning any lottery, raffle, gift enterprise or similar scheme not authorized by the State, offering prizes, dependent in whole or in part, upon lot or chance, to persons who have paid or promise to pay any valuable consideration for the chance of winning the prize, or any list of the prizes drawn or awarded by means of such lottery, raffle, gift enterprise or scheme, whether said list contains any part or all of such prizes, shall be cablecast.

**3.2** - Material which is meant to defraud the viewer or is designed to obtain money by false or fraudulent pretenses, representations or promises, will not be cablecast.

**3.3** - No private commercial solicitation or commercialism, as well as the endorsement of any commercial product or service shall be permitted.

**3.4** - Programs creating a clear and present danger of imminent lawless action shall not be cablecast.

**3.5** - Political candidates and advocates for ballot issues are welcome to utilize the services on the same terms as other LCPTV users. Lake County PEG TV maintains the right to limit the length and frequency of political programming in the same manner that it imposes these limits on other programs.

**PAID POLITICAL ADVERTISEMENTS ARE STRICTLY PROHIBITED.**

In the 72 hour window before the polls close for any election for public officeholders, no political programs will be cablecast.

**3.6** Music and program material from broadcast stations, networks, sponsors, performers, and representatives are subject to copyright and other ownership and royalty rights. Access users are required to advise the PEG staff and/or Board if their program contains such copyrights or royalty rights, and must provide all necessary written

authorization from the owner of said material. Program producers assume full legal responsibility for any disputes concerning unauthorized use of copyright or royalty rights material.

**3.7** Public access playback submissions which contain a sufficient number of programs to qualify as a series will be considered for acceptance if public access producers are willing to meet following conditions.

Technical/Production Standards (Section 3.16) and Programming Policies (all of Section 3) conditions must be met. In the case of a limited series (6 to 13 programs) a minimum of three programs for a series of six and a minimum of six programs for a series of thirteen must be in-house prior to any scheduling of air dates.

For a series of twenty-six programs or more, a minimum of thirteen programs must be in-house prior to any program scheduling. This will ensure a regular time slot for the run of the series and allow LCPTV Channel 8 programming personnel the opportunity to build a consistent viewing schedule for the audience.

If for some reason technical standards are not met the series will not be aired until corrections can be made. Where possible LCPTV Channel 8 can assist with technical corrections, but engineering and dubbing charges may apply.

### **3.8 -- SUBMITTING A PROGRAM**

**1. CABLECAST REQUEST FORM** -- Anyone submitting a program for airing on LCPTV Channel 8 must submit a Cablecast Request Form (CRF) before the program is scheduled. The form includes statements assigning responsibility for the content of the program to the producer or provider. The form must be completed and signed by the program provider.

**a.** Interruption Authorization -- The Cablecast Request Form (CRF) contains the following statement:

*I hereby authorize PEG to interrupt my live or taped program if LCPTV Channel 8 determines that my program or any part of my program is not appropriate for the regular hours of cable-casting or if it violates LCPTV Channel 8's programming Policies or procedures.*

**b.** Channel Use Agreement — The Cablecast Request Form (CRF) contains the following agreement:

#### ***Statement of Compliance***

*I have read and understand TV 8's Operating Policies and Procedures. I am thoroughly familiar with the rules and procedures on the use of LCPTV Channel 8 production equipment and facilities, and agree to abide by them.*

*I assume full responsibility for the content of all program material produced, created or included, and ensure that such program material will not violate the rights of any third party.*

*I agree to pay the costs to repair or replace the equipment or material that is damaged, misused or lost while such equipment materials are in my possession or control. I understand the penalties that apply if I do not return equipment or materials on time.*

*I agree to indemnify and hold harmless TV 8, the PEG Board, the PEG Committee, Mediacom, and their agents, employees and representatives from any and all liability and injury (including reasonable attorney's fees and costs incurred in defending claims) arising from, or in connection with: claims for failure to comply with any applicable laws, rules, regulations or other requirements of local, state or federal authorities; claims of libel, slander, invasion of privacy, or the infringement of common law or statutory copyright; claims of unauthorized use of any trademark, trade name or service mark; for breach of contractual or other obligations owing to third parties by the producer including union residuals or other payment for any purpose whatsoever, and claim, in law or equity, which may arise or result from this program or the producers' utilization of LCPTV Channel 8 services, equipment, facilities and cable access channel.*

*I understand that I may be criminally or civilly liable for producing or presenting such material for transmission.*

*I will not represent to others that I am an employee, representative or agent of LCPTV Channel 8 or its affiliates; nor will I make such representation on behalf of any other person involved in my production.*

***I agree that the use of facilities and equipment is for the primary purpose of creating television programming to be transmitted via LCPTV Channel 8 and will not be produced with commercial intent.***

*I understand that false or misleading statements or omissions made I this application are grounds for forfeiture of the privilege to use LCPTV Channel 8 equipment and facilities and I will hold LCPTV Channel 8 harmless against any such loss or claim which results from any false or misleading statements.*

*I agree no oral modification, amendment, extension or waiver of this agreement will be binding upon me or LCPTV Channel 8.*

- 2. PROGRAM PREPARATION – The producer of the program is responsible for having the program ready on time. The producer is also responsible for post-production work, such as countdowns& logos and having the DVD’s properly label (Total Run Time, Chapter).
- 3. DVD LOSS OR DAMAGE – Channel 8 is not liable for loss or damage of DVDs submitted for cable-casting. Producers are advised not to submit originals.

**3.9 – SCHEDULING OF PROGRAMS**

A minimum of one hour per week cablecast time has been allocated for Public Access producers. As requests for access use increases, the above stated time will be adjusted to meet increasing demands. Producers and hosts should not make repeated appearances on shows other than their own. This is to discourage monopolization of LCPTV Channel 8 by one or two users and is in fairness to all other LCPTV Channel 8 access users.

Cablecast time may be scheduled up to thirty (30) days in advance. Programs must be submitted at least 10 days prior to requested time slot for cablecast, EXCEPTION: The only exception to the “10-day rule” is in the case of “timely” material, in which case, the PEG staff and/or Board may waive this rule.

At the discretion of the PEG staff and/or Board, repeat LCPTV Channel 8 access users, or those requesting access time on a regular basis, may be preempted by a one-time or first-time user. Every attempt will be made, however, to allocate cable-casting time on an equitable basis, and to work regular users into some kind of a regular schedule, whether weekly, bi-weekly or monthly interval. Producers may be added to the waiting list for a regular time slot only if they have cablecast at least four programs in the prior six months on LCPTV Channel 8.

Scheduling is done on a first-come, first-served basis, with these exceptions:

- 1. LOCAL PRIORITY – Priority will be given to original locally produced programs and original programs of a locally produced series. Original Programs are defined as those not previously cable cast on the channel. Local produced programs are defined as those produced by residents in the Lake County area.
- 2. VIEWING AUDIENCE -- Consideration may be given to selecting appropriate times for specific audiences.
- 3. PRIME TIME SCHEDULING -- When possible, prime time will be reserved for original, locally produced programs. Prime time is 5-10 p.m.



**4. REPLAYS** -- In general, replays will be scheduled for hours other than prime time. An exception will be made for programs deemed unsuitable for children, which will be scheduled for later hours. After the initial 30 days programs will be repeated no more than once per calendar month. Requests for replay shall be limited to one per week per citizen.

**5. TIMELY PROGRAMS** -- Every effort will be made to provide timely cable-casting for programs of immediate interest. With the producer's permission, a scheduled replay may be pre-empted to allow the showing of a timely program.

**6. IMPORTED PROGRAMS** -- A minimum of one hour per week will be allowed for programs produced outside Lake County. A service fee may be charged for all Import programs. A statement will be edited at the end of each program, stating the person's name who submitted the program. Their phone number will also be given so members of the public can contact the person who submitted the program. Any imported program under 20 minutes that is included as a part of a locally produced public access show will be excluded from this fee.

**7. FREQUENCY OF CABLE-CASTING** -- All programs will be scheduled at least once and a maximum of three times within 30 days of submission (see above for imports). The same program may be resubmitted 2 months after its last cablecast date.

Programs supporting or opposing a specific candidate, bill, or proposition shall be played at least once and no more than 3 times within 30 days within the election cycle in which they are submitted. (This excludes debates in which all candidates are represented). If the program is submitted during a primary election cycle, it can be played again the same amount of times during the regular election cycle.

**8. DVD LIBRARY** -- Any producer may submit a program for the tape library if the producer supplies a high-quality copy or videotape on which the staff can make a copy. Library tapes will be cablecast at the staff's discretion.

**9. PROGRAMS NOT SUPPLIED** -- If the producer fails to provide the scheduled program, or if the holder of a regular time slot does not provide another in the series, the staff will choose the programming to fill the slot.

### **3.10 - REGULAR TIME SLOTS**

**1. CAPACITY LIMITS** -- It is the intent of LCPTV Channel 8 to expand cable-casting time to accommodate all available programs. However, if the schedule becomes full, the reservation of regular time slots may be limited in the following ways:

**a.** They may be reviewed every three months, and if no other local producer has requested that slot, it will be renewed. Any change necessary will be made at the first available scheduling time, and the producer will be offered another time slot if available.

**b.** Individual producers or organizations holding more than one regular weekly time slot for locally produced programming may be required to give up one or more slots to allow other producers to schedule programs. The producer to be pre-empted first will be the one holding the most time in regular time slots for the longest time.

**2. TAPED PROGRAM IN A LIVE TIME SLOT** -- A time slot reserved for a live program may be filled with a recorded program selected by the producer. This recorded show may be:

- a. Original. That is, a program in the series not previously scheduled. This program may be shown a total of two times within two months, in accordance with the policy on replays.
- b. A recording of an earlier show presented live. The showing of this tape during the live slot will be deemed to be the second showing of the program. Therefore, the program may not be submitted again until two months after its last cablecast date, as above.

**3. REPLAYS** -- Regular time slots, whether for taped or live shows, must not be filled with the identical part of the series more than twice in two months.

**4. IMPORTED SERIES** — The provider of an imported program series may hold a regular time slot until the producer of local program series requests that slot. The change will be made at the first available scheduling time, and the provider of the imported programs will be offered another time slot if available.

**5. LOSS OF SLOT** — Two failures to provide programs on time within a 3-week period (unless prior arrangements have been made) may result in loss of the series time slot at the discretion of the PEG staff and/or Board.

### **3.11 - PRODUCING LIVE PROGRAMS**

**1. LIVE SHOWS DURING STAFF HOURS** - Live shows must be presented during scheduled staff hours. Producers wishing to do live programs must request cablecast time with the PEG staff and/or Board at least two weeks before cable-casting. A five second time delay is required during live shows in the events that any censorship is required.

**2. NEW LIVE PRODUCERS** — Producers who have never produced a live show at PEG must arrange a pre-production meeting with the PEG staff and/or Board before their first show for the purpose of technical advice.

**3. FORMS** — The producer must complete a Cablecast Request Form (CRF).

**4. PROGRAM PARTICIPANTS** -- The producer or host of the show must advise guests and other talent on the show to comply with all LCPTV Channel 8 Policies, especially restrictions on advertising and direct appeals for funds. Repeated violations of restrictions on advertising and funding appeals may result in cancellation of the program and/or producer's privileges.

### **3.12 - PRODUCING A PROGRAM SERIES** (maximum of 6 programs)


**1. CABLECAST REQUEST FORM** - Cablecast request form (CRF) must be completed with the PEG staff and/or Board before a series slot is assigned. Producers may reserve equipment after they submit their CRF or reserve by phone, if their CRF is on file.

**2. LOSS OF SERIES SLOT** -- Two failures to provide programs on time within a 3-week period (unless prior arrangements have been made) may result in loss of the series time slot at the discretion of the PEG staff and/or Board. To regain a slot, a producer must begin the process again.

3. CABLECAST REQUEST FORM - The producer must complete a Cablecast Request Form for each show in the series to ensure that the proper show of the series is scheduled.
4. PROGRAM PARTICIPANTS -- The producer or host of the show must advise guests and other talent on the show to comply with all PEG Policies, especially restrictions on advertising and direct appeals for funds. Repeated violations of restrictions on advertising and funding appeals may result in cancellation of the program and/or producer's privileges.

### 3.13 - DVD TECHNICAL/PRODUCTION STANDARDS

Minimal technical standards are required for cable-casting. These determinations will be made without regard to content.

1. A/V AND CONTROL TRACKS -- DVDs must have a clear audio and video signal with an unbroken control track (minimal glitches in the body of the program). Productions should be continuous without breaks.
2. STANDARD PLAY SPEED -- Programs on DVDs must be acceptably recorded at pre-approved standard speeds.
3. VIDEOTAPE/DVD QUALITY – videotapes blank DVDs must be DVD-R format, and of good quality.  is the logo to look for and they must be clear of fingerprints and/or smudges.
4. BLACK -- 2 seconds of black pre-roll prior to the beginning of the first video tape or DVD is required. On the submission form, notify the station of different pre-roll times.
5. OPENING CREDITS — Program title, participant credits and underwriter credits as per underwriting section (See Section 3.16)
6. ENDING CREDITS -- Participant credits and underwriter credits as per underwriting section (See Section 3.16)

### 3.14 - PROGRAM REJECTION

The PEG staff and/or Board reserves the right to determine whether a program complies with the restrictions, limitations and technical standards as denoted in the LCPTV Channel 8 Access Policies and Procedures. If an infraction is detected, the PEG staff and/or Board may opt not to cablecast the program until said infractions have been corrected. (See appeal process in section 7.5)

If a PEG access DVD/ videotape is rejected, an effort will be made to notify the program producer/provider in order to have the problem(s) corrected prior to any scheduled cablecast time.

If, because of late scheduling, or other unforeseen problems the producer/provider cannot be contacted prior to cablecast time, the program will have to be re-scheduled.

If the PEG staff and/or Board is unable to contact the access producer/provider concerning the rejection, the rejected material will be shipped back to the producer/provider along with the rationale for rejection.

### 3.15 - PROGRAM OWNERSHIP

Programs produced by PEG Access Producers remain the property of the producers with all the rights and copyrights afforded to them. PEG Access Producers also assume all liabilities for program content and the use of copyrighted music and visual materials contained in their programs. The producer will hold harmless the City of Clearlake, its employees and assigns, the PEG Board and Mediacom, their employees and assigns from any suits arising from the use of copyrighted materials for which releases have not been obtained.

### **A NOTE ABOUT COPYRIGHT**

Under the present copyright law, the playing of a music recording, the use of someone's lyrics, or the performing of an artist's music on television is regarded as a "performance." As a "performance," its playing obligates the user (you, the producer) to pay for the "performing right" to the copyright holders who may include composers, music lyricists and publishers.

### **VIOLATION OF COPYRIGHT LAW**

This is a serious offense. A lawsuit could quickly end your television career. To protect yourself from a copyright lawsuit, get your copyright permission early from BROADCAST MUSIC INCORPORATED or ASCAP depending on which group holds the copyright to the material you wish to use. Be sure to get Permission in writing. **BMI (310) 659-9109, ASCAP (213) 883-1000.**

Submitted video copy becomes the property of LCPTV (City of Clearlake) and will not be returned.

### **3.16 - Underwriting and Program "Sponsorship"**

LCPTV Channel 8 encourages users of producers to independently seek grants and sponsorship support for their productions to help defray production costs.

Producers and those working as crew must volunteer their time. It is inappropriate to conduct a small video production business using our free video production facility which is provided exclusively for non-commercial community programming. City-owned PEG equipment cannot be used by independent producers for any purpose which results or is intended to result in a financial gain to the producer.

LCPTV Channel 8 is a division within the City of Clearlake to provide public television on Cable Channel 8 using city-owned equipment and facilities. As such, LCPTV Channel 8 does not allow the use of city equipment by independent producers which would be in competition with commercial enterprises.

LCPTV Channel 8-certified producers shall not contract with an underwriter or sponsor of a project if it involves the use of LCPTV Channel 8 equipment or facilities and results in or is intended to result in a financial gain to the producer.

It is a violation of LCPTV Channel 8 policy for a producer to present himself/herself as an employee of LCPTV Channel 8 or representative of the station either expressly or by implication for any purpose.

Producers must follow strict underwriting and sponsorship guidelines.

Commercial advertising is prohibited on public access channels. Using PBS standards as a model, acknowledgement of corporate or business support can be presented only at the beginning and/or end of each program. Each acknowledgement is limited to 15 seconds in duration.

An underwriting message must identify the program underwriter -- but cannot promote the underwriter, its products or services. The FCC has specifically warned noncommercial broadcasters to avoid certain promotional elements, such as (1) calls to action, (2) price or value information, (3) superlative descriptions or qualitative claims, (4) direct comparisons with other companies, their products or services, (5) inducements to purchase, and (6) endorsements.

Underwriting information must be documented with Cablecast Request Form and Statement of Compliance, and underwriting donations must be limited to direct costs associated with the production. LCPTV Channel 8 requests that producers contribute 10% of their underwriting support to the station to help offset access operational costs.

No commercial advertising or for-profit fundraising efforts of any kind are allowed in programs on LCPTV Channel 8.

An underwriting credit may include an underwriter's official slogan or jingle, and to give their address, phone number, hours of operation, web page URL, or email address.

Maximums of six underwriters are allowed per show.

No business, individual or organization may appear in the program that they have sponsored.

LCPTV Channel 8 accepts no liability for any disputes between underwriters and producers.

### **CREDIT YOUR UNDERWRITERS AT THE BEGINNING AND END OF THE PROGRAM AS FOLLOWS:**

Thank you very much to the following individuals and/or organizations for your underwriting support:

Name Address  
 Telephone Number  
 Days and Hours of Operation  
 Web page or Email address  
 Offering (type of) Services to our area

The programming content may not contain advertising or solicitation of funds. Programs containing promotions of commercial products or services, or lotteries, or direct appeals for funding by nonprofit or for-profit organizations, will not be accepted by the station. Live or videotaped programs containing such promotions are subject to immediate interruption by PEG staff during presentation. Exceptions to this policy may be allowed if:

- PEG staff and/or Board are raising funds for PEG operations,
- The PEG staff deems a local for profit event/fundraiser relevant and valuable to the community. In this case, it can be placed on the bulletin board without prices or calls to action, merely mentioning the generic phrase: "Cover charge may apply".

The programming may not be sold or rented, nor may a fee be charged specifically for the viewing of the program.

## **4. OPERATIONAL PROCEDURES**

### **4.1 LCPTV Channel 8 ACCESS USER GENERAL GUIDELINES**

No PEG user shall disassemble, repair, or otherwise tamper with any field or studio equipment.

No one may interfere with the production and/or facility usage of another user.

No LCPTV Channel 8 user may use the equipment or facilities while under the influence of alcohol or drugs.

Smoking is prohibited in all City/County operated buildings. Eating is not allowed in the master control area, studio or in the edit bays or near the equipment.

Each LCPTV Channel 8 user shall ensure that the facilities and/or equipment are left in a clean and neat condition and available for a subsequent user at the end of the time reserved.

Failure to comply with any of the above LCPTV Channel 8 User Guidelines may cause the loss of privileges for a period to be determined by the PEG staff and/or Board.

## **4.2 CERTIFICATION/TRAINING**

### **CERTIFICATION OVERVIEW**

In order to use any of the field or studio equipment you must first become "certified." Upon completion of your certification process, you will be authorized to use that particular piece (or pieces of) equipment for which you're certified. Note that we do not expect you to become an expert on every piece of equipment. The orientation is not designed for professional training. As a producer you will find it very helpful to have a general understanding of the equipment. There is also the possibility that a crew member will not show up and if you are certified you will be able to take over the absent person's position. Being certified to use the equipment also allows for you to check out the equipment. If you are not certified, you must find a certified person willing to take responsibility for the check out of equipment. Whoever checks the equipment out must also return it and is fully responsible for the equipment until it is returned.

LCPTV Channel 8 requires that all individuals interested in using the station's facilities and/or equipment to produce a program to be certified. Orientation for Lake County residents will be offered periodically to help producers qualify for certification. Notification of orientation will be aired over LCPTV Channel 8 or call 994-8201, Ext. 109, for information.

The main purpose of the orientation is to insure that individuals are informed about the correct use and care of the production equipment, which is expensive and fragile, and to provide an overview of production requirements. The orientation must be taken in order to receive certification and an official community access certification card. The card permits individuals to borrow equipment and use the studio facilities at no charge (with the exception of a deposit). Cards that are misused or loaned will be revoked. Applications for the orientation may be obtained by contacting the PEG staff and/or Board at 994-8201 ext.109 and/or [stationhub@lakecountypegtv.org](mailto:stationhub@lakecountypegtv.org).

### **4.3 - PRODUCTION EQUIPMENT**

In order to check-out equipment, the user must have completed the certification and training classes, possess a valid certification card and complete an Equipment Check-out form. Users can check-out equipment for 48 hours, however a deposit will be required.

Check-out periods may be extended through special arrangements with the PEG staff and/or Board, who reserves the right to deny the use of the studio and/or remote equipment to anyone who exhibits irresponsibility and/or negligent behavior concerning the use of PEG Board owned equipment.

Production equipment must be reserved at least 48 hours in advance of the production day. Equipment is available on a first come first served basis. Due to the limited amount of available equipment, it is highly recommended that reservations for equipment be made as early as possible. Repeated late return of borrowed equipment, damage or theft of borrowed equipment due to negligence or other actions the PEG staff and/or Board deems unacceptable may result in loss of access privileges.

Each user shall be responsible for the proper care, use, treatment, protection and prompt return of equipment or other facilities while signed-out by the user. The user shall agree, as a condition of use, to indemnify and reimburse the PEG Board, at a rate set forth by the PEG Board, for damage to equipment or other facilities caused by neglect, abuse, theft, or other calamity -- ordinary wear excepted - - which occurs while such equipment or facilities are signed out by the user.

Because the user in whose name the equipment is checked out remains liable for its safe and timely return, it must not be loaned, transferred, or exchanged with anyone else. Equipment check-in must be completed by the person who checks it out.

- 1. CANCELLATIONS** — Producers must give a cancellation notice to the PEG staff at least 48 hours in advance. Repeated failures to do so may jeopardize a producer's privileges.
- 2. LATE ARRIVAL** -- Producers who are more than 20 minutes late for their reservation, without notice, will relinquish their reserved time if there is another producer wishing to use that equipment.
- 3. EQUIPMENT MALFUNCTION** - Producers are responsible for determining that the equipment is in working condition when they arrive to use it or check it out. Any malfunctions or damage should be noted on the appropriate form.
- 4. UNCERTIFIED USE** -- Producers must not allow the use of equipment by anyone not possessing a current PEG producer's card. Producer's privileges may be revoked for violation of this policy.
- 5. ACCIDENT, MISHANDLING, NEGLECT** - The producer is responsible for the equipment. If the equipment fails due to an accident, mishandling or neglect, liability for the repair or replacement rests with the person who signed for the equipment. This liability includes the cost of replacing equipment stolen during the time it is in use.
- 6. HOUSEKEEPING** — Producers must return the equipment they use to its proper place, and leave the facilities and equipment clean and orderly, at or before the agreed time.

#### **4.4 - SCHEDULING FIELD USE OF EQUIPMENT**

A field production refers to going out to a location with a camera to shoot your footage.

- 1. CONSECUTIVE WEEKENDS** - A producer may not reserve field equipment for more than two consecutive weekends in any calendar month. Exceptions to this policy may be made by the PEG staff and/or Board.

**2. AREA LIMITS** -- Equipment may not be taken out of Lake County,

**3. EQUIPMENT REQUEST** - The Equipment Check Out Form must be completed, signed and submitted. A staff member or appointed volunteer must initial the use form at the beginning and end of use time.

#### **4.5 - STUDIO PRODUCTIONS**

Studio production time will be made available to certified public access producers who meet the following criteria:

1. Have passed the certification and training orientation
2. Hold a valid producers certification card
3. Are a resident of Lake County (valid California drivers license or other photo ID may be required for identification)

Producers will be responsible for making guest arrangements, writing the scripts for talent purposes, and ensuring that copyrighted materials have been cleared for program use. In addition to the above, producers will provide two to three qualified camera persons, depending on production requirements and a sufficient number of personnel to make the studio ready for the production. i.e.- placement of the set and backgrounds.

The producer assumes all liabilities for the content of program information and copyrighted use of music or production visuals and holds the PEG Board, Mediacom, City of Clearlake, County of Lake, its employees or agents, the PEG staff free from all loss, liability and damage.

Studio time will be made available for public access productions each week. Access studio time will be scheduled at the convenience of the PEG staff. Production requests for studio access time are due one month prior to the production request date along with a completed production request form. Studio production time will be scheduled on a first come, first served basis. Depending on staff availability, some production hours may be scheduled in the evening hours. A producer may only book one four hour block of studio production access time per month. This will give other access producers the opportunity to utilize studio production facilities.

The PEG staff and/or Board reserve the right to cancel a public access studio production. Should it become necessary to cancel a studio access production, an alternate production date will be made available within five working days of the cancellation.

#### **4.6 - PEG PRODUCER RESPONSIBILITIES – NON OPERATIONAL**

PEG Access Producers are allowed to use equipment for only 50 hours per project. Extensions may be allowed with consent of the PEG staff and/or Board.

The PEG Access Producer is responsible for all talent and guests connected with the production. The producer must notify all production and on-camera participants of the program content restrictions and prevent such content from appearing in the program. Only those persons necessary for the program should be present during studio taping.

PEG Access Producers and their guests are restricted to the immediate production area, and shall not go into other studio areas.

PEG Access Producers may personalize their program by providing their own set materials. The particulars must be coordinated beforehand with the PEG staff. Set storage will not be permitted due to space limitations.



Persons appearing before the camera must provide their own costumes, makeup, and accessories. All LCPTV Channel 8 access programs developed and/or produced must carry the following announcement before and after the program:

***“The contents and ideas expressed in the (following/preceding) program are the sole and exclusive responsibility of the producer and do not necessarily reflect the views or opinions of the PEG and it’s affiliates.”***

#### **4.7 PRODUCTION REQUESTS - NON OPERATIONAL**

Any and all requests for production service shall be submitted in writing to the PEG staff and/or Board at least four weeks in advance of the requested production, unless extraordinary circumstances make such requests impractical. Priority shall be given to those projects that are determined to maximize information for the residents of Lake County.

#### **4.8 COPYING OF VIDEOTAPES/DVDs**

1. EXTRA COPIES -- LCPTV Channel 8 equipment may not be used by producers to make copies of any media, except that producers may make one backup copy of their own program to keep, and one library copy to be submitted to LCPTV Channel 8 for cable-casting.
2. EXCEPTIONS -- Exceptions may be made by the PEG staff and/or Board for submissions to contests or other access stations, as an income-producing activity for PEG, or for other reasons deemed justifiable by the PEG staff and/or Board.
3. ALTERNATIVES — Producers are encouraged to videotape their programs from the cable as they are being cablecast or to use commercially available equipment for copying.

#### **4.9 MUSIC LIBRARY**

LCPTV Channel 8 has a library of royalty free music. This instrumental music covers a wide range of styles, composed specifically for video shows. All music has copyright clearance and removes any possibility of copyright violation.

#### **4.10 VIDEO LIBRARY – NON OPERATIONAL**

LCPTV Channel 8 provides a library of books and tapes on a variety of video subjects that can be signed out, free of charge to members. Books are available for a two-week period and media are available for a one-week period. Library material must be signed out through a staff person.

#### **5. - OBSCENE MATERIAL**

The content of the programming cannot be obscene or otherwise unprotected by the Constitution of the United States. See *Miller v. California*. 413 U.S. 15 (1973). Obscenity is not constitutionally protected. Additionally, speech, which is directed at inciting or producing imminent lawless action and is likely to incite or produce such lawless action, is not constitutionally protected. See *Brandenburg v. Ohio*. 395 U.S. 444(1969).

Obscene material will not be cablecast. (Ref. State of California Penal Code, Section 311)

- a. Obscene matter taken as a whole, the predominant appeal of which to the average person, applying contemporary statewide standards, is to prurient interest, meaning a shameful or morbid interest in nudity, sex, or excretion; and is matter which taken as a whole goes substantially beyond customary limits of candor in description or representation of such matters; and is matter which taken as a whole, lacks significant literary, artistic, political, educational, or scientific value.
- b. "The predominant appeal to prurient interest of the matter is judged with reference to average adults unless it appears from the nature of the matter of the circumstance of its dissemination, distribution, or exhibition, that it is designed for clearly defined deviant sexual groups, in which case the predominant appeal of the matter shall be judged with reference to its intended recipient group."

In other words, a cable program is obscene if:

- a) The average person, applying contemporary community standards for the cable medium, would find the material, taken as a whole, appeals to sexual interest;
- b) The work depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law; and
- c) The work, taken as a whole, lacks serious literary, artistic, political or scientific value. *Miller v. California*, 413 U.S. 15 (1973). The Supreme Court indicated that "hard core" pornography might be condemned under these tests. Included in hard-core pornography are: patently offensive representations or descriptions of ultimate sexual acts, normal or perverted; and actual or simulated and patently offensive representations or descriptions of masturbation, excretory functions and lewd exhibition of the genitals.

A word about INDECENCY: A cable program is indecent if the program "describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards for the cable medium." 47C.F.R. Sec. 76.701 (g).

Indecency does not include:

- a) offensive or objectionable political opinions, of whatever ideology;
- b) objectionable non-sexual behavior and advocacy of such behavior, even behavior otherwise prohibited by law;\*
- c) programming produced by or featuring groups disfavored by the community;
- d) discussions, of alternative sexuality (e.g., homosexuality, bisexuality) which do not otherwise meet the definition above;
- e) depiction or description of artistic works containing nudity and/or depicting sexual organs or activities (e.g., Michelangelo's "David," Klimt's "The Kiss," dance or theatrical performances), unless done so in a patently offensive manner; or
- f) programming stating opinions or facts which the program editor believes or knows to be false.

\* Note: Laws against speech unprotected by the First Amendment (e.g., libel, copyright infringement, incitement, false advertising, etc.) may apply.

LCPTV Channel 8 does not censor the content of the programs provided. However, programs may be reviewed before they are scheduled to check for material which is unsuitable for sensitive audiences. Program producers must check the appropriate box on the Cablecast Request Form to indicate shows that may require viewer discretion. Scheduling of programs which, in the opinion of the PEG staff and/or Board, contain violations of the above may be delayed for a reasonable time while the PEG staff and/or Board consults with the producer/provider, an attorney or others.

LCPTV Channel 8 reserves the right to air a disclaimer preceding programs that it considers to contain mature content.

## **6 - FACILITY RULES**

### **6.1 - ARRIVAL OF CREW, TALENT AND GUESTS – NON OPERATIONAL**

LCPTV Channel 8 users or guests arriving during business hours 8:00am - 5:00pm should enter through the front door. After 5:00pm, LCPTV Channel 8 users or guests should continue to use the Front Door. Every Producer of evening access productions should assign a production assistant to be responsible for escorting guests. Please do not let anyone into the building if you are not authorized to do so.

### **6.2 - ENTERING AND EXITING THE BUILDING**

Doors must not be propped open. A staff person will assist you at the door if there is a need to keep it open for an extended period of time (i.e. to move sets in). Please make sure the door is securely closed behind you.

### **6.3 - SMOKING, ALCOHOLIC BEVERAGES, ILLEGAL SUBSTANCES**

Alcoholic beverages and illegal substances are not permitted on the premises at any time. ALL City/County owned buildings are considered "NO SMOKING" buildings. Selling or dispensing alcohol or illegal substances is prohibited. If behavior indicates being under the influence of alcohol or other substances, you will be asked to leave the premises. Smoking is allowed in designated outdoor areas only.

### **6.4 - OTHER PROPERTY OR EQUIPMENT**

Chairs, plants, equipment, computers, office supplies, and personal items in employee workstations are not available for public access. There is furniture and set pieces designated for productions. Please be sure to return them to their proper place.

### **6.5 - PHONES**

Phones at employee desks or in the control room are not available for public use without express permission of staff person on duty.

### **6.6 - FOOD AND DRINK**

Food, drinks, and other liquids are not permitted in the studio, the control room or the edit bays. Water may be provided for guests or talent on the set after they are seated for taping.

## **6.7 - THE STUDIO AND CONTROL ROOM**

No amplified music can be performed in the studio. There may be no nudity in the studio. (No exceptions). Please do not use confetti, sparkles, or glitter in the studio. These materials are difficult to clean up and may cause damage to equipment. After the production; strike the set, return all the equipment to its proper place, clean the studio, re-hang any lights, take off gels on lights, clean up the control room and the waiting areas.

## **6.8 - EDIT BAYS AND EQUIPMENT CHECK OUT AREA**

Please return any equipment or manuals used in the edit bays to their proper place.

## **6.9 - LEAVING THE PREMISES WHEN YOU HAVE CONCLUDED YOUR BUSINESS**

Please do not remain in the facility once you have concluded your business. This can be disruptive to staff and other users.

## **7. - CONDUCT OF PEG ACCESS USERS**

Public access producers and associated crew members are expected to conduct themselves in a professional manner when dealing with the public, PEG Board members, or Mediacom personnel. Any producer or associated crew member who has falsely represented themselves as a PEG Board or Mediacom employee or LCPTV Channel 8 staff member or uses abusive language or acts in a manner to be construed as confrontational, will have, at the discretion of the PEG staff, their privileges to access equipment suspended or revoked. In addition to the above, based on the severity of the situation or repetitiveness of the misrepresentation, playback access time may be suspended with the length of suspension at the sole discretion of the PEG Board. Any producer who refuses to sign the Producer's Agreement, by the very nature of the refusal, will be denied access equipment and playback access time.

### **7.1 — ABUSE OF USER PRIVILEGES AND COMPLAINTS**

Please treat staff, interns, and users with respect and courtesy. If a problem occurs, you may be asked to leave the premises and you could lose your access privileges.

### **7.2 -- SEXUAL HARASSMENT**

Whereas LCPTV Channel 8 is a public facility which brings together many people in close working proximity and different social and business relationships; and therefore it is the responsibility of all to promote a safe and pleasant working environment; be it known by all that sexual harassment of any kind will not be tolerated.

## **1. DEFINITIONS**

- a.** Between employer and employee it is sexual harassment if sexual favors are demanded as a condition of promotion or continued employment.
- b.** Between social/business equals (includes volunteers and producers, and all relations between staff members, volunteers and producers) sexual harassment is the continuation of innuendos, jokes, personal remarks and/or

touching after one instance in which the recipient has protested that the behavior is offensive; or any other such pattern of behavior which promotes or creates an uncomfortable working environment for one or more other people.

## **2. PROCEDURES**

- a. When possible, confront the harasser and persuade him/her to stop.
- b. If #2a is not possible or is ineffective, complain in writing, as soon as possible to the PEG staff or;
- c. File the complaint with the PEG Board Chair.

## **3. PENALTIES**

- a. Anyone about whom a complaint has been received shall be notified by the PEG staff and/or Board of the complaint, with a warning that his/her behavior has been perceived as harassment and that the nature of the complaint is being investigated and that such perceived behavior should cease.
- b. If the first warning is ineffective, LCPTV Channel 8 use privileges may be suspended for a period of time, the suspension and time to be at the PEG staff and/or Board 's discretion.
- c. If the second penalty is ineffective, and/or complaints arise about the same individual from several sources over a long period of time, station use privileges may be revoked permanently.
- d. Anyone who feels that he/she has been unjustly accused or penalized may submit an appeal, in writing, directly to the PEG Board two weeks prior to the next board meeting.

### **7.3 VIOLATION OF LCPTV Channel 8 Policies**

An independent producer may be sanctioned under any of the following circumstances:

1. Losing, mishandling or damaging equipment without acceptance of liability;
2. Altering, repairing or taking apart any LCPTV Channel 8 equipment or videotape;
3. Using equipment for purposes other than those stated by the producer;
4. Allowing unauthorized use of equipment or violations of facility regulations;
5. Stealing;
6. Misrepresenting oneself to the public on behalf of LCPTV Channel 8
7. Using copyrighted material illegally;
8. Using liquor, tobacco or illicit substances within the LCPTV Channel 8 facility.
9. Violating any LCPTV Channel 8 policy or Procedures for Programming.

## 7.4 COURSE OF ACTION FOR VIOLATION OF LCPTV CHANNEL 8 Policies NOTIFICATION –

The staff will give notification of a policy violation to the user and report the incident in writing to the PEG staff and/or Board.

**ACTION** — The PEG staff and/or Board may, depending on the severity and frequency of the abuse:

1. Discuss the problem and resolve it with user and staff.
2. Suspend the use of equipment or PEG facilities for a specific time.
3. Suspend the use of PEG facilities for an indefinite time.
4. Refer the problem to the PEG Board.
5. Notify the proper legal authorities.

**DOCUMENTATION** — The PEG staff and/or Board will document the above events and actions in writing.

## 7.5 COMPLAINT AND APPEAL BY USER

**1. INFORMAL COMPLAINT**--A user feels he/she is being treated unfairly under these guidelines or who has a complaint about the operation of LCPTV Channel 8 is encouraged to discuss the matter informally with the PEG staff and/or Board.

**2. FORMAL COMPLAINT**--The user may file a formal complaint by submitting a written statement to the PEG staff and/or Board who will respond in writing within two weeks.

**3. APPEALS PROCEDURE**--The guidelines and procedures set forth in this document and/or their application in specific cases may be appealed to the PEG staff and/or Board (707) 994-8201, Ext. 109. If the problem(s) cannot be resolved administratively, a written request may be made for a hearing before the members of the PEG Board. Such requests should clearly state the nature of the complaint or concern, and the circumstances out of which the complaint arose.

Because the concerns or complaints may involve programming hours, rules, and procedures, or personnel, hearings will be scheduled within thirty (30) days of receipt of written complaints to allow for prompt resolution of said discrepancy by the PEG Board.

Decisions of the PEG Board are final and will be rendered in writing.

Requests for a hearing should be sent to:

PEG Board  
City of Clearlake  
14050 Olympic Drive  
Clearlake, CA, 95422

## Appendix A

### **2. Policy Guidelines**

#### **2.1 "P" is for Public**

It is to provide equal opportunity for public access to all residents, local organizations, or local groups within Lake County. Access shall be provided to members on a first come, first served basis regardless of race, ethnic origin, religion, creed, sex, age, handicap. However, certain technical standards will have to be maintained for each program.

#### **2.2 "E" is for Education**

It is to provide a wide variety of educational programs. This will be accomplished by the following: The cablecasting of telecourses for credit to assist those individuals who, for reasons out of their control, cannot attend local classes and receive traditional credits and, where possible, supplement the educational opportunities for those citizens requiring other education or literacy training and provide programming that will enhance the quality of life of the citizens of Lake County.

*Local governmental and public educational institutions will be given priority with the scheduling of programming.*

Depending on the volume of use relating to the cablecast of educational programming, an administrative charge for staff time and equipment maintenance may be imposed to defray these costs to the City of Clearlake.

#### **Educational Programming Guide Telecourse**

Programming (college credit):

Telecourse programming for college credit will be accepted if it meets curriculum guidelines established by the institution of higher learning intending to offer credit in a particular subject area.

**General Interest Educational and "How-to" Programming:**

General interest educational programming will be acquired and scheduled for cablecast upon approval of the PEG staff and/or Board and the PEG Committee. Submission of general interest educational programming (single program and/or series) can be made by any Lake County PEG Channel member or member educational institution wishing to do so.

All general interest program submissions must meet the technical standards and general Policies and procedures tests as established by the City of Clearlake as stated in the (P.E.G.) Access Policies and Procedures manual as adopted by the PEG Committee. A technical correction charge will be made to bring any general interest program submission up to cablecast standards where such technical correction is possible.

### **2.3 - GOVERNMENT ACCESS (The "G" in PEG)**

It is to provide equal and balanced opportunity for government access, which may include federal, state, county, and municipal access, as it relates to the residents of Lake County. Access shall be provided on a priority basis with emphasis given to localized information.