

**TOWN OF WEARE  
WEARE CATV  
COMMUNITY ACCESS TV – CHANNEL 6**



**POLICIES  
AND  
PROCEDURES**

Adopted: March 15, 1993  
Revised: January 15, 1997

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The following guidelines and policies have been developed to reflect the wishes of the Town of Weare as they relate to community access television.

## **STATEMENT OF PURPOSE**

The purpose of Weare CATV/Channel 6 is to give Weare individuals and/or Weare organizations who might otherwise not have access to the media a forum to display their talent, knowledge or other information and thereby enhance the quality of life in our community.

Weare CATV/Channel 6 provides broadcast time and access equipment free of charge to qualified Community Members for the production and presentation of non-commercial programs of community interest.

In compliance with Section 611e of the Cable Communications Act of 1984, the Town of Weare shall not exercise editorial control over the use of Channel 6.

The following definitions shall be applied throughout the guidelines and procedures:

1. The Committee is the Weare CATV/Channel 6 Committee appointed by the Weare Selectmen.
2. Weare CATV/Channel 6 shall mean the community access television channel in Weare and the Committee appointed by the Selectmen to oversee its use.
3. Community shall mean any area where Weare's cable service (Channel 6) is available and the entire town limit of the Town of Weare including areas which may be incorporated into the town limits in the future.
4. Community Member shall mean anyone 18 years or older living in the area served by Weare CATV/Channel 6, or anyone employed by the Town of Weare or an agency of the Town, or anyone employed by the Weare School or John Stark School Districts or any bona fide member of a recognized Weare community organization.

5. Obscene material shall be defined as stated in RSA Chapter 650. (Exhibit A attached).
6. User shall mean either the producer of a tape or the individual who submits the tape for air time.

## I. QUALIFICATIONS

- A. The scheduling of Weare CATV/Channel 6 facilities and equipment is limited to those individuals who are at least 18 years old and have received a certificate from the Weare CATV/Channel 6 Committee. Said certificate shall be awarded for successfully completing a series of video workshops and by demonstrating proficiency in the use of the necessary access equipment for the project planned.
- B. The Committee reserves the right to deny access to its facilities to anyone it deems unable to properly operate the equipment or who abuses the facilities or equipment owned by Weare CATV/Channel 6.
- C. The Weare CATV/Channel 6 may wish to provide, at its own discretion, production assistance personnel for the purpose of efficiency or other reasons deemed necessary to the Committee.
- D. User may wish to arrange with the Weare CATV/Channel 6 or other qualified persons at the Users own expense to provide production assistance. All outside persons must successfully complete the appropriate workshops, receive certification from Weare CATV/Channel 6 Committee, and demonstrate proficiency in the use of the necessary access equipment before they may be consultants to Town groups or individual Community Members.
- E. Channel 6 Users are required to provide their own qualified productions crews for all productions. Training will be provided during workshops conducted throughout the year by Weare CATV/Channel 6 and/or Continental Cablevision. The workshops will be scheduled at times mutually convenient to the Users and the individuals providing the training. The workshops require approximately 10 hours of class time to complete. They will

include the following:

- |                               |  |
|-------------------------------|--|
| 1. Basic Studio Production    | 2. Advanced Studio Production              |
| 3. Basic Portapack Production | 4. Post Production Techniques<br>(Editing) |

## II. PROGRAMMING

- A. Application for air time on Weare CATV/Channel 6 shall be determined according to the priorities established in Paragraph F and upon submission of a written request. Air time must be arranged at least two (2) weeks in advance, and user must sign a Program Indemnification Agreement (Exhibit B attached) and Channel Request Form (Exhibit C attached) before any program can be broadcasted.
- B. Requests for air time will be processed on a first-come, first serve basis subject to the availability of cable casting equipment and air time. The User must also plan on conforming to Weare CATV/Channel 6 normal operating hours when scheduling any equipment, air time or requesting production assistance from the Committee.
- C. Requests for consistent time slots (program series) will be honored on a rotating basis, if all of the following conditions are met:
1. The material is produced by Community Members.
  2. Titles and descriptions of programs are submitted to Weare CATV/Channel 6 at least six (6) weeks in advance of the first requested air date.
  3. The User has new material on a consistent basis.
  4. A person who has completed the Weare CATV/Channel 6 training program, or its equivalent, is designated to work with the group or is a member of the group.
- D. All programs are broadcast no more than twice within a given week. First-run programs have priority over reruns in time slot scheduling. Programs previously broadcast on the system may be

re-run, upon request. No program will be shown more than a total of four (4) times within a given 12 month period.

- E. Weare CATV/Channel 6 reserves the right to use Channel 6 when time has been scheduled for use in accordance with these procedures.
- F. The following priorities shall determine Weare CATV/Channel 6 Programming usage:
  - 1. Programming produced by the Town of Weare and its Departments.
  - 2. Programming produced by the John Stark and Weare School Districts.
  - 3. Programming produced by Community organizations.
  - 4. Programming produced by qualified Community Members.
  - 5. Programming produced by non Community Members.
- G. Channel 6 is exclusive to the Town of Weare.
- H. Prohibitions and Clearances

Users of tapes to be broadcast on Weare CATV/Channel 6 are fully responsible for the content of all program materials and for any and all legal expenses incurred by the Town associated with their access use.

The following materials are prohibited from broadcast on Weare CATV/Channel 6:

- 1. Any obscene or indecent material prohibited by RSA Chapter 650 (see Exhibit A attached).
- 2. Any libelous or slanderous material.
- 3. Any materials designed to promote the sale of commercial

products or services.

4. Any lottery information.
  5. Any invasion of privacy.
  6. Any violation of trademark, copyright or publicity rights which may violate any local, state or federal law.
  7. Any illegal activity.
- I. The User must obtain in writing and produce before broadcast time is scheduled, all the necessary approvals, clearances, licenses, etc. for the use of any program material which the User intends to broadcast, including but not limited to broadcast stations, networks, music licensing, organizations, performer's representatives, and any and all other persons as may be necessary for the authorization to cablecast program material. Users shall obtain a signed release (Exhibits D and E attached) from all people appearing in any program shown on Weare CATV/Channel 6. A parent/guardian shall execute the necessary assurances that authorization has been obtained concerning the appearance by any minors on a Weare CATV/Channel 6 program. Such adults shall be responsible for any liability resulting from the appearance by a minor.
- J. Bicycled Tapes.

Programs produced by persons outside the franchise area with other than Weare CATV/Channel 6's equipment are referred to as "bicycled tapes". They will be accepted for broadcast on the following basis:

1. Bicycled tapes must be submitted by a Community Member and must have the written support (name, address and telephone) of at least twenty-five (25) Community Members.
2. Locally produced programs will receive priority scheduling over bicycled tapes.

3. They must be strictly non-commercial in nature.
4. Technical and production quality must meet the same broadcast standards as locally produced tapes.

### III. EQUIPMENT USE AND SCHEDULING PROCEDURES

Weare CATV/Channel 6 will have the right to oversee any and all productions.

The Weare CATV/Channel 6 studio and equipment will be available for use by qualified Users on a first-come, first-served basis.

Use of the equipment and studio is for the purpose of producing programs for Weare CATV/Channel 6.

- A. The facilities and equipment may be used by those persons who meet all the following qualifications:
  1. The User is a Community Member or an employee of organizations and agencies that serve the Community.
  2. The User has been awarded a certificate issued by Weare CATV/Channel 6 that identifies that individual as having successfully completed the Weare CATV/Channel 6 training program.
- B. Initial requests for scheduling equipment and/or studio time may be made by phone or in person and **must be** followed up with the appropriate paper work in order to be considered confirmed. Cancellations may be made by phone by the original contact person.
- C. Portable equipment to be borrowed must be reserved in advance and signed for on appropriate forms when checked out. Only Weare CATV/Channel 6 certified Users at least 18 years old will be permitted to borrow this equipment. Users are responsible for loss or damage due to negligence or abuse while the equipment is checked out to them.



- D. Any damage to equipment or operating irregularities must be reported in **writing** to Weare CATV/Channel 6 when the User returns or is finished with the equipment.
- E. Users are strongly advised to test all equipment before beginning a project; portable equipment should be tested before leaving the studio.
- F. The User is responsible for enlisting an adequate, certified crew for any given production. A certified User at least 18 years old must be present when the Weare CATV/Channel 6 studio or any of its equipment is being used.
- G. Users may not alter studio arrangements or “open” or try to repair any piece of equipment. All difficulties need to be reported immediately to any Weare CATV/Channel 6 member.
- H. Only in special cases and only with prior written permission from Weare CATV/Channel 6 may a User take equipment outside of Community lines.
- I. A User must take initiative to identify himself/herself to persons involved in productions as a representative of Weare CATV/Channel 6.
- J. Additional materials for productions must be supplied by the User (i.e., sets, graphics, materials, extra videotapes); all materials must be removed after the production.
- K. All facilities and equipment must be returned in their original clean, organized and properly packed condition after use.
- L. Users may not give out Weare Town Offices’ phone or address as a contact place for themselves.
- M. User privileges will be rescinded for non compliance with any operating rules and procedures, behavior that is detrimental to access television or Weare CATV/Channel 6’s, loss or damage to equipment or unauthorized commercial use of facilities or equipment.

- N. Users should assume that someone else will be scheduled to use the studio/equipment before and after them. Unless otherwise informed Weare CATV/Channel 6 will schedule two (2) hour blocks for a typical access production studio shoot and/or edit session. Portable equipment will be loaned for twenty-four (24) hour periods unless other arrangements have been made at the time of reservation.
- O. Video equipment must be treated with care. NO EATING OR DRINKING IS ALLOWED IN THE STUDIO FACILITIES OR NEAR ANY VIDEO EQUIPMENT AT ANY TIME. No smoking is permitted inside the Town Offices where the studio and equipment are located.
- P. There is no charge for the use of the studio and studio equipment owned by Weare CATV/Channel 6 for the purpose of producing non-commercial programming.
- Q. Weare CATV/Channel 6 may charge Users for any training required to ensure that Users are qualified to work with any of the studio equipment or production facilities.

#### IV. VIDEOTAPE REQUIREMENTS

- A. All tapes must be supplied by the User, S VHS format and of broadcast quality. They may be purchased from Weare CATV/Channel 6.
- B. Any User who wished to have a copy of the master tape may make one copy with Weare CATV/Channel 6 equipment at any time that does not interfere with a scheduled production. They will provide their own tape. Individuals who want a copy of a program are encouraged to tape it off cable.
- C. Before broadcast, all videotapes must be clearly labeled with the following information on the box spine and on the tape top.
  - 1. User's name(s) and title of program.
  - 2. Length of program.

3. Intended broadcast date.
  4. Audio specifications (Channel 1 or 2).
  5. In cue and out cue in time (not frame numbers).
- D. The beginning of all broadcast programs must have the standard format in the following order:
1. Thirty (30) seconds of color bars.
  2. Ten (10) seconds of standard black.
  3. Ten (10) seconds academy leader or countdown.
- E. The end of a broadcast program must have the standard format in the following order:
1. Appropriate credits
  2. Weare CATV/Channel 6's credit stating **"Broadcast of the preceding program was made possible through the Community television facilities of Weare CATV/Channel 6."**
  2. Sixty (60) seconds of standard black.
- F. Videotapes owned by the User must be picked up within ten (10) days of the last broadcast. After (10) days, Weare CATV/Channel 6 assumes no responsibility for unclaimed tapes.
- G. Weare CATV/Channel 6 reserves the right to withhold broadcasting of programs which do not meet adequate technical standards.
- H. Ownership and Remuneration
1. A Weare CATV/Channel 6 User has the right to display/distribute his/her production internally within his/her organization.

2. No broadcast of material produced with Weare CATV/Channel 6 facilities and equipment may be aired on any other broadcast or cable outlet without the prior written consent and permission of Weare CATV/Channel 6.
3. No production produced with Weare CATV/Channel 6 facilities and/or equipment may be used as a revenue generating product without the prior written consent and permission of Weare CATV/Channel 6.
4. Notwithstanding section E #1, 2b and #3 above, the User must assign fair credit to all participants in production.
5. Weare CATV/Channel 6 shall be notified of any subsequent use or sale of any tape produced and broadcast with Community television facilities and equipment if User receives any profit or remuneration. Weare CATV/Channel 6 must be reimbursed for equipment rental at fair market value or 50% of the profit whichever is smaller.
6. Programs co-produced by Users and Weare CATV/Channel 6 will be jointly owned.
7. Programs produced by Weare CATV/Channel 6 will be owned by Weare CATV/Channel 6.
8. Weare CATV/Channel 6 reserves the right to broadcast programs produced with Weare CATV/Channel 6's facilities and equipment any number of times with the User's permission.

#### J. Grants, Underwriting and Sponsorship

Underwriting of programs must be for goods and services or in kind contributions that aid in developing and improving the program. Credit for underwriting will be similar to the following: **“Goods and services used in the production of this program were contributed by (company name).”** Credits will be shown before and after program and may be displayed at periodic intervals during the program. Programs must still include Weare CATV/Channel 6's

credit.

## V. DISCLAIMER/SEVERABILITY

This Policy and Procedure for the Weare CATV/Channel 6 was made effective upon its adoption on March 15, 1993.

Notwithstanding the provisions of this Policy and Procedure, the Town, its departments, agents or employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance in connection with the facilities and/or equipment at the Weare Town Offices, John Stark Regional High School or Weare School Districts. No liability whatsoever is assumed for the failure of such facilities and/or equipment or failure of monitoring equipment or for any other act to omission in connection with such facilities and/or equipment. Each User shall be deemed to hold and save harmless the Town, its departments, agents or employees from liability in connection with the User's material and equipment.

In the event any section or paragraph of a section of this Policy and Procedure is declared to be illegal, void or invalid in whole or in part by a Court of competent jurisdiction after all appeals, if any, have been exhausted, all other sections and paragraphs of the Policy and Procedure shall remain in full force and effect on the same extent as if that section or paragraph had never been incorporated in this Policy and Procedure.

VI. ADOPTION

Under the authority granted to the Board of Selectmen and after proper notice and hearing, the Board of Selectmen of the Town of Weare, hereby adopt this Town of Weare CATV Policies and Procedures on the day of March 15, 1993.

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Laura Petrain, Chairman

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Leon G. Methot, Co-Chairman

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Douglas R. Cook

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Thomas C. Reynolds, Jr.

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BOARD OF SELECTMEN

Attest:

This                      day of                      2004

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Evelyn J. Connor, Town Clerk  
Town of Weare

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