

**TOWN OF OLD ORCHARD BEACH
POLICY 08-01
Governmental/Educational Channel (2008)**

Mission

The Governmental/Education Channel (OOBTV3) is operated by the Town of Old Orchard Beach and Time Warner Cable of Maine. The mission of OOBTV3 is to make local government more accessible to the citizens of Old Orchard Beach and Ocean Park. By providing a direct link between local government and the cable network, OOBTV3 will promote citizen access and exposure to local government and further government accountability. OOBTV3 will also provide local government with access to the cable network for training, data transmission, and other valuable exchanges of public information.

Priorities

In order to meet this mission, OOBTV3's activities will include the following prioritized programming and services:

1. Local governmental and school meetings.
2. Programs regarding local government services.
3. Character generated information regarding meeting schedules of local governmental boards, committees, commissions, etc.
4. Character generated information regarding important community events sponsored by governmental, school or non-profit groups.
5. Emergency information and instructions during disasters or other emergencies.
6. Reports to the citizens from elected or appointed public officials (e.g. Legislative Update).
7. Productions that feature community services, issues and/or special governmental meetings.
8. Productions concerning current events or particular community issues (e.g. Know Your Candidates/Candidates Night).
9. Productions with a cultural or educational element.
10. State government meetings of special local interest.
11. Programming obtained from outside sources which further OOBTV3's mission.
12. Providing video production training for other agencies.

Programming fulfilling the mission of OOBTV3 shall be primarily informational or educational in nature but this does not preclude the cable casting of events where some advocacy may take place. OOBTV3's staff, resources and facilities are for the use of: 1) the Town of Old Orchard Beach citizens, and elected officials; 2) other government and non-profit agencies. 3) OOB school system.

Costs

The Town may recover the cost of productions through billings or fees for overhead used on a production. Other organizations may apply for the use of facilities and staff on a fee basis.

Dubbing Costs

VHS, 1/2 hour program or partial program---\$40 each copy

VHS, over 1 hour or complete program---\$40 each copy

DVD, (Unable to copy at this time)---\$40 each copy

Responsibility for Programming

Organizations utilizing OOBTV3's facilities and resources bear sole responsibility for the contents and materials used in all programs produced by or for them. This responsibility includes obtaining all necessary releases from program participants, obtaining any required copyright clearances, and complying with all other policies and guidelines established for programming to be cablecast on the Channel. Such users shall sign a liability release form prior to the cable casting of any information or program for that user. The liability release shall hold harmless the Town and OOBTV3 for any breach of copyright or other liabilities due to the negligence or error of the user agency. All programming with the exception of meetings will carry an implied or written disclaimer of responsibility for their content. Written information submitted to OOBTV3 for inclusion in the character generator program sequence (Community Bulletin Board) will be edited where necessary by staff to maximize the impact, clarity, and efficiency of the message. Selection and scheduling of character generated sequences, programs, and live events for cable casting are solely the responsibility of OOBTV3 staff as per the priorities outlined above. All video programming whether live or on tape shall be identified by the producer or source of programming credits at the end of the program.

Retention of Tapes

OOBTV3 will retain the videotapes of recorded meetings for at least 1 year. Requests for copies of such tapes will be granted and the Town has the right to require compensation for such as per OOBTV3's rate structure. OOBTV3 will permanently retain the master copy of all programming it produces, or aids substantially in producing, or which must be retained pursuant to applicable law. Copies of masters will be used for cable casting and may be purchased from the Channel/Town. Nothing in the above is intended to excuse the Town or OOBTV3 from the requirements of the State of Maine's Open Records laws. All requests for video copies of such meetings will be granted, and the Town has the right to require compensation for expenses involved in creation of those copies as per the Town/OOBTV3's rate structure.

All regular Town/OOBTV3 productions (i.e., regular meeting coverage) and all special video works produced by OOBTV3 will be under the copyright control of the Town of Old Orchard Beach unless one or more of the following apply:

1. Language in a grant, or other funding source which pre-exists the production of the work, establishes a different, related entity as the copyright holder.
2. An agreement is signed, prior to production of the work, granting ownership of copyright to a different, related entity, such as the funding source or the host or moderator of the program.

Limitations

The facilities and resources of OOBTV3 shall not be used for the following:

1. Any advertisements on behalf of a political candidate or measure of a ballot.
Note: this does not preclude the production by the Town /OOBTV3 of programming which includes the opportunity for all candidates for a particular elective post or proponents of all sides of an issue to appear in a fair and equitable fashion, i.e., Know Your Candidates/Candidates Night.
2. Any advertisements including specific messages on behalf of or opposing any measure under consideration by the Town. Note: This will not preclude the production of programming that provides information on such issues if all sides of the issue are presented or the production of programs where all sides of an issue are debated/discussed by their proponents/opponents.
3. Any promotional material concerning products or services presented for the purpose of any solicitation of funds or items of value by other than government or non-profit groups.
4. Any information concerning gambling, lotteries, gift enterprises, or the like.
5. Any material which constitutes libel, slander, pornography, violation of trademark or copyright, or which might violate any local, state, or federal laws, including FCC regulations.
6. Any programming which advocates a particular religious belief or beliefs.

Coverage

Public Meetings: All public meetings will be covered gavel-to-gavel. No editing of any sort shall be performed, save: 1) addition of title and credit pages for cable casting of taped replays; and 2) coverage lost due to technical considerations.

Special Programs: Any programming prepared by or provided by a government department may be modified or edited as appropriate, or as dictated by scheduling and personnel resource requirements.

Community Bulletin Board: Informational messages for use on the character generator bulletin board (Community Bulletin Board) shall be edited for clarity and to maximize the capacity of the system.

Scheduling

Scheduling the use of governmental/educational channel OOBTV3 time shall be the sole responsibility of the Town Manager or Channel Manager of OOBTV3. Scheduling will be in accordance with the Mission Statement set forth by the Town of Old Orchard Beach Council and the availability of equipment and staff resources.

**TOWN OF OLD ORCHARD BEACH
GOVERNMENT/EDUCATION CHANNEL OOBTV3
1 PORTLAND AVE.
OLD ORCHARD BEACH, ME. 04064**

Program Dub (copy) Request

Program Title _____

Program Date _____

Topic/Guest _____

Choose (1)

_____ **VHS ½ hour or partial program- \$40.00 each**

_____ **VHS 1 hour program or entire program- \$40.00 each**

_____ **DVD entire program- \$40.00 each copy**

Payment must accompany this request form.

Cash, Check, Debit accepted.

Price does not include postage if dub is to be mailed.

Exact postage determined at purchase.

Requested By:

Name _____

Address _____

City _____ **State** _____ **Zip** _____

Telephone _____ **Email** _____

OFFICE USE ONLY

Date requested _____ **Dub completed by** _____

Request taken by _____ **Date request completed** _____

Payment received date _____ **Date mailed** _____

TOWN OF OLD ORCHARD BEACH, MAINE

OOBTB 3 Program Responsibility Form-Media Submittal for Broadcast

Your Name: _____

Date: _____

Group you are representing (if any) _____

Address: _____

City: _____

Phone: _____ E-Mail: _____

Title of Program: _____

Exact Program Length in Hours: Minutes: Seconds: _____

Briefly Describe the Program: _____

If possible, you'd like us to play this program on or before (date/s): _____

Priority will be given to Government Access programs and locally-produced programs. Locally-produced programs will be scheduled for cablecast on a first-come, nondiscriminatory basis. All Programs must conform to community standards regarding obscene or indecent matter as well as local, state, and federal laws. Programs cablecast on OOBTB3 may not contain lottery information or paid advertisements. Any program which the Channel Manager feels might not comply with OOBTB3 policies may be held off the programming schedule until reviewed by the Town's Attorney in order to insure compliance. If written permission to cablecast or edit copyright materials is necessary, the Channel Manager must receive that permission in writing before the program will be scheduled for cablecasting.

It is your responsibility to be sure the video tape meets the following technical requirements before the program will be scheduled for cablecasting on OOBTB3:

- 1. The program must be immediately preceded by at least thirty seconds of recorded black or color bars.**
- 2. The program must be immediately followed by at least thirty seconds of black.**
- 3. The tape must be completely rewound.**

4. The label on the spine of the tape must include the title of the program and the exact length of the program in hours:minutes:seconds.

If your video tape does not meet these requirements, talk to the Channel Manager before submitting the tape. You are expected to clearly print your name and phone number on the face label of the video tape and remove the tape's erasure prevention tab before submitting the tape to OOBTV3 for cablecasting. It is your responsibility to pick up any tape presented to OOBTV3 within two weeks of the program's scheduled cablecast date. Any tape not picked up within two weeks will be considered abandoned and become the property of the Town of Old Orchard Beach. OOBTV3 assumes no responsibility for tapes presented for cablecasting.

Statement of Compliance

I have read and understand this form and understand that as producer/sponsor of the program described above I am responsible for the program's content. I understand that OOBTV3 is required to keep for public record the names and addresses of all persons requesting access time for a period of two years from this date. I have made all appropriate arrangements and obtained all appropriate clearances from broadcast stations, networks, music licensing organizations, performers, performers' representatives, and without limitation by the above list, any and all other persons as may be necessary for the authorization to edit and/or cablecast the material in this program on OOBTV3, on the servicing cable system.

I hereby agree to indemnify, save, and hold harmless OOBTV3, the servicing cable system, and the Town of Old Orchard Beach and its employees from and against any and all liability, claim, judgment, action, loss, cost, damage, injury (including death) or expense (including attorney's fees), arising out of or resulting from the program or programs referred to herein. I give OOBTV3 permission to edit a countdown and disclaimer onto the tape(s) I am submitting for cablecasting.

Date: _____ Signature of Applicant: _____

OOBTV3, Town of Old Orchard Beach, Maine, 04064, 207-934-5714