

CHAPTER XXIV - CABLE TELEVISION

SECTION I AUTHORIZATION FOR CABLE TV FRANCHISE

- A. Approval – RSA 53-C authorizes the Town to enter into non-exclusive agreements to provide cable television service to the community.
- B. Funds for Local Programs
 - 1. The Town Council is authorized to accept the franchise fee from the cable television provider and dedicate these funds .of which all or a portion may be used for PEG access television, programs and facility management as well as any other cable related expenses as determined by the Town Council from time to time.

SECTION II NAMES AND LOCATION

- A. Londonderry’s Public Access Channels are known as CTV-20 and DIG-170 and will be referred to as such throughout this document.
- B. Londonderry’s Educational Access Channel is known as LEO 21 and will be referred to as such throughout this document.
- C. Londonderry’s Governmental Access Channels are known as GOV-22 & 30 and will be referred to as such throughout this document.
- D. Londonderry, Public, Educational, and Governmental (PEG) Access, known as the LAC (Londonderry Access Center) facilities, are located on the Londonderry High School campus, 281 Mammoth Road.

SECTION III AUTHORITY AND GOVERNANCE

- A. Authority
 - 1. Public, educational, government access and the LAC exist as a result of the cable franchise agreement.
- B. Governance
 - 1. The LAC and public and government channels are managed by the Director of Cable Services under the direction of the Town Manager.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION IV ELIGIBILITY TO USE THE PEG ACCESS FACILITY

1. The educational channel is managed by the School District.
 - A. Use of the PEG Access Facilities is free of charge to community members. Community members include residents of Londonderry and employees of the Town and/or School District and businesses (non-commercial) and organizations that service Londonderry. Other Londonderry organizations and agencies occasionally may wish to utilize those among their membership who do not reside in Londonderry. This is acceptable if the program being produced is officially sponsored by the organization/agency in question.
 - B. Community members are eligible to use the facility and/or the equipment therein when they have successfully completed appropriate training. Training in the proper use of the PEG access facility and equipment will be provided by the LAC staff Training will be provided on an on-going basis. Some areas of production require certification.
 - C. Use of the LAC and equipment is a privilege that can be suspended if these policies are not adhered to or if equipment or facilities are misused or abused. In addition, volunteers must abide by the rules of the building in which a shoot is taking place. (See section 14-2.20 for specifics)

SECTION V CHANNEL USAGE

- A. Public Access Channel - Every community member is guaranteed the right to have a program that they produce or sponsor cable cast at least once provided they have signed a statement of compliance available from the Director stating that said program is within the guidelines set forth by the Cable Act of 1984 and does not violate these policies or any federal, state or local ordinances.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION V CHANNEL USAGE (Cont'd.)

- B. Educational Access Channel - The School District is responsible for access and content for LEO 21 and as such is not subject to the Town's Municipal Code. The School District should be contacted regarding its rules and procedures for LEO 21.

- C. Governmental Access Channels - All government automated meeting operators (GAMOs) are trained by the LAC Training Coordinator to use the equipment in the Town Council chambers. GAMOS are paid a stipend to cover meetings. Meetings held off-site will be covered by staff and/or trained volunteers. Coverage will be gavel-to-gavel. Editorial comment is not allowed. Coverage will be live cable cast. When there is more than one meeting to be covered in the same general time frame, the Director will determine coverage priority.

SECTION VI STATEMENT OF PURPOSE

- A. Public access exists to promote a basic tenet. As noted by Sanders, et al. in NFLCP Cable Access Advocacy Handbook "in the 'Electronic Age' the people's freedom of speech means the right to view and create a diversity of information."

- B. Government access exists to provide the community with an opportunity to become informed by viewing, first hand, unedited coverage of its governing boards and committees.

SECTION VII STATEMENT OF NON-DISCRIMINATION

- A. No individual or group shall be denied access to the PEG channels, access facilities or equipment on the basis of race, color, sex, age, disability, religious or political belief, or sexual orientation.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION VIII ROLE OF LAC STAFF

- A. Director of Cable and Technical Operations is responsible for:
1. Oversees cable franchise
 2. Manages facility.
 3. Supervises staff.
 4. Budgeting and purchasing
 5. Teaches orientation class and trains staff in all production methods.
 6. Develops/revises policies as necessary.
 7. Technology and equipment upgrades and installations.
 8. Performs or oversees all equipment repairs.
 9. Solicits relevant programming.
 10. Assess and address cable customer complaints.
 11. Schedules programming for public and government access through cable channels, live streaming and video on demand.
 12. Maintains and updates LAC website.
 13. Advises Town Manager and Town Council regarding PEG access and cable television & streaming issues.
- B. Training Coordinator & Customer Assistance Representative is responsible for:
1. Scheduling and providing all training.
 2. Maintaining calendar.
 3. All duties in absence of Director.
 4. Supervising interns.
 5. Editing and preparing programming for playback.
 6. Addresses initial cable customer complaints.
 7. Managing special events such as
 - A) Open House
 - B) Non-profits Night
 - C) Media Camps

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION IX EQUAL OPPORTUNITY

- A. The LAC is NOT required to offer equal TIME on its public channels. Public access IS required to offer equal opportunity on a first come, first serve non-discriminatory basis. Any community member willing to be trained can produce programming. Those not wishing to be trained can sponsor programming that is within the guidelines of these policies and conforms to the Cable Act of 1984, or any federal, state or local ordinances.

SECTION X STATEMENTS OF COMPLIANCE

- A. LAC producers/sponsors should be specifically aware of the following public access policies as they will be required to sign a Statement of Compliance for every production and/or program series stating that they will adhere to these policies prohibiting:
1. Advertising of commercial products and/or services
 2. Obscene and/or indecent material (see NH State RSAs)
 3. Material which constitutes libel, slander or invasion of privacy
 4. Use of publicity rights, trademark and/or copyright which violates local, state or federal law.
- B. GOVERNMENT ACCESS - Coverage of government access meetings is gavel to gavel and requires no producer, therefore a statement of compliance is not necessary.

SECTION XI FUNDING AND GRANTS

- A. The LAC is funded through franchise fees.
1. Producers who wish to seek funding from other sources may do so under the following guidelines:
 - a. Funds can be solicited for sets, props, costumes, equipment, travel expenses, meals or special services.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XI FUNDING AND GRANTS (Cont'd)

- b. Funds cannot be used to pay volunteers for their labor.
- c. Goods or services can be sought in lieu of monetary assistance.
- d. Credit will be given at the beginning or end of any program. For example: “The preceding program was brought to you in part by a grant from...”
- e. This statement may be displayed over an organizational logo if one is provided. It is appropriate to include the location of the organization if that is imperative to their identification (Shaw’s, Derry), telephone numbers are not allowed but websites are.
- f. Producers should consult with public access staff prior to seeking alternative funding.

SECTION XII SPONSORSHIP OF PUBLIC ACCESS PROGRAMMING

- A. Locally sponsored programs are those which were produced outside of the LAC but are cable cast at the request of community members.
- B. Any community member may sponsor a program and/or series for cable cast at any one time. Completed sponsorship forms will be kept on file at the LAC.
- C. Sponsored programs must adhere to the same guidelines that locally produced programs follow and a Statement of Compliance must be signed by the sponsor(s). Sponsorship is good for one playback schedule.
- D. Videos owned by the user must be picked up within two (2) weeks of the last cable cast. After two weeks, the LAC assumes no responsibility for the videos.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XIII PROFIT

- A. The LAC and/or equipment cannot be used with the intent of financial gain or material profit.

SECTION XIV COPYRIGHT

- A. Public Access - The producer of a public access program shall hold the copyright and this information will be noted at the end of every program. In the case of a collaborative effort on a community event where the LAC staff functions as the producer, LAC will hold the copyright.

SECTION XV PRODUCERS INFORMATION

The Director shall establish and make available regulations regarding Producers' Information.

SECTION XVI PUBLIC SERVICE ANNOUNCEMENTS (PSAs)

- A. Public Access - Community groups and organizations are encouraged to produce video public service announcements for cable cast and streaming on public access. PSAs can be for specific events or to inform the community of a group's existence and purpose, or to share a specific bit of information. All PSAs produced must be video. PSAs cannot be used for the direct solicitation of, or appeals for, funds or other things of value for any and all purposes.
- B. Government Access - Gavel-to-gavel coverage does not incorporate the use of PSAs.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XVII SCHEDULING

- A. Public Access
1. When determining the playback schedule for public access, the staff will prioritize in the following manner:
 - a. first-run locally produced programs.
 - b. requested repeats of locally produced programs.
 - c. locally sponsored programs, single.
 - d. locally sponsored programs, series.
 2. If, after scheduling programs in the above categories, there is sufficient playback time available, the staff may utilize the following types of programming:
 - a. Programs bicycled to the LAC through arrangements with other access centers.
 - b. solicited programs from free loan sources.
 - c. unsolicited programs.
 3. Live programming can pre-empt the playback schedule but must be scheduled in advance. Notice can be waived by the Cable Director under special circumstances.
- B. Government Access- All scheduling for government channels is done according to the coverage priority. If both channels are being used, the meeting will be recorded for playback.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XVIII STANDARD FORMAT FOR PROGRAMS

- A. The Director shall establish and make available regulations regarding program formatting.

SECTION XIX PEG ACCESS VOLUNTEERS UNDER AGE 18/OR STUDENTS

- A. Volunteers under the age of 18 are encouraged to become volunteers under regulations and guidelines as established by the Director.

SECTION XX VIOLATION OF POLICIES (OR RULES)

- A. Adherence to these policies and their attendant rules is mandatory. The smooth operation of the PEG access facility ensures that the facility is available to as many community members as possible.

SECTION XXI DOCUMENTS SUBSCRIBED TO

- A. The following documents are included as part of the Londonderry PEG Access Operating Policies and Procedures and are available from the Director.
1. Educational channel regulations
 2. Equipment checkout agreement
 3. Governmental channel policy
 4. NHRSA 649 (Child Pornography) and NHRSA 650 (Obscene Matter)
 5. Schedule of violations
 6. Series sponsors form
 7. Sponsorship form
 8. Statement of compliance form
 9. Talent release form

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XXII RESOLUTION OF DISPUTE

- A. Public and government access and LAC
 - 1. The Director of Cable Services is responsible for assuring that all public access volunteers/sponsors adhere to these policies.
 - a. A complaint must be submitted in writing to the Director of Cable Services within thirty (30) days after a dispute arises, with a decision passed down within two (2) weeks after submission in writing.
 - b. Should a dispute arise that cannot be resolved at that level, the next recourse for volunteers/sponsors is the Town Manager.
 - 2. If the complainant finds the Director's decision unsatisfactory, he/she may appeal to the Town Manager.

SECTION XXIII PROCESS TO AMEND POLICIES

- A. These policies will be reviewed at least once annually. Any proposed changes will be submitted to the Director of Cable Services.
- B. The Town Council shall have final approval.

SECTION XXIV CAVEAT

- A. If there are any items in these policies that are now, or in the future, found to be in conflict with local, state or federal regulations, the wording in these policies will be considered subordinate.

CHAPTER XXIV - CABLE TELEVISION(Cont'd)

SECTION XXV GLOSSARY OF TERMS

- Access Channel** The channel space provided to the Town in the cable franchise agreement for carrying PEG.
- Addendum** References in this Chapter to documents in the “Addendum”, which includes such documents as the Statement of Compliance, Conduct Involving Commercial Products/Services, Compensation for Use of Facilities, Production Rates, Public Access Use Policy, Equipment Check-out Agreement, Talent Release Form, Election Campaign Videos Policy, and Complaint Regarding Objectionable Programming shall be maintained and made available by the Director of Cable Services.
- Archive** Video clips or programs selectively collected and classified for preservation and/or re-use.
- Automated Play-Back System** A device used to perform pre-determined distribution of programs in sequential order over the public access system.
- Bicycled** The manner in which video programs are routed to other public access systems.
- Cable Act of 1984** Federal legislation governing the industry; PL 98-934
- Cable Cast** Television signal to carry the visual, aural and digital information.
- Certification** The process of training/testing/ certifying developed to ensure a standard level of competence has been attained in designated production areas.

CHAPTER XXIV - CABLE TELEVISION(Cont'd)

SECTION XXV GLOSSARY OF TERMS (Cont'd.)

Clips Abbreviated portions or sections of filmed or video materials.

Community Members Any person who resides in Londonderry, an organization that serves Londonderry and non-commercial business use. Residents of Londonderry and employees of the Town or School District

Complainant The person initiating a complaint in an action or proceeding involving PEG access or the LAC.

Copyright The exclusive, legal right to reproduce, publish and sell the matter and form of a video production.

Edited Program The master recording of a finished production which has been sequenced and electronically sweetened with music, graphics and the like

Editorial Comment Expression of opinion conveyed verbally or through the manipulation of the video or audio portion of the program.

Equal Opportunity Non-discriminatory provision of access to facilities and equipment.

Equipment Parts of the production system that process information but do not store it; (i.e.: cameras, video recorders, monitors, editor engineering and production racks, etc.)

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XXV GLOSSARY OF TERMS (Cont'd) .

Franchise Agreement	The agreement between the town government and the cable provider granting the company the right to construct and operate a local cable system in exchange for pre-determined considerations for the town.
Generic	Video clips or programs related to or characteristic of general areas of interest.
Historical Significance	Video clips or programs deemed to be of value for the archives.
Locally	Within the transmission capabilities of public access.
Locally Produced Programs	Produced by community member(s).
Locally Sponsored Programs	Non locally produced programs sponsored by community member(s).
Londonderry Organizations	Any non-profit organization based in Londonderry or providing services to Londonderry.
PEG Access Channel	A cable channel on a home subscriber system (including educational and government channels) reserved for programming produced or coordinated by community members.
PEG Facilities	The studio, control room and office area located at 281 Mammoth Road, commonly referred to as the LAC.

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XXV GLOSSARY OF TERMS (Cont'd)

Playback	The process of cable casting a television program for reception by home subscribers.
Public Service Announcement (PSA)	A short (usually no more than 60 to 90 seconds) informative piece designed to provide facts of interest to the public.
Qualified LAC	A community member who has received appropriate training from LAC staff.
Volunteer	LAC staff in designated areas of production.
Raw Footage	Non-edited video and the material contained in that video.
Recycled	The re-use of various video formats.
Series	Programs which share a commonality; all deal with the same topic, or the same producer, or they are produced under the same title, or more than one program sponsored by the same person.
SMPTE	Society of Motion Picture and Television Engineers.
Sponsorship	Assumption of responsibility for a non-locally produced program by a community member(s).

CHAPTER XXIV - CABLE TELEVISION (Cont'd)

SECTION XXV GLOSSARY OF TERMS (Cont'd)

Statement of Compliance Agreement signed by all producers/sponsors to attest that they will abide by LAC policies; rules and procedures and as they relate to the operation and governance of the facilities and channels.

Streaming Multimedia that is constantly received by and presented to an end user while being delivered by a provider.

Timely Determination as to playback potential based on the continuing usefulness of the program.

~~End of Chapter~~