

CITY OF CHELSEA
PUBLIC ACCESS CHANNEL
PROGRAMMING POLICY

SECTION 1. Purpose

Public Access Channel is a service of the City of Chelsea, Michigan. Public Access Channel serves the public interest of the City of Chelsea by providing citizens and non-profit organizations with the resources to distribute non-commercial video programming to the community via the Public Access Channel on the local cable system.

SECTION 2. Policies

A. Eligibility to use City of Chelsea Public Access Channel Services:

1. A resident of the City of Chelsea or a verified representative of the City of Chelsea non-profit organization. Public Access Channel will not discriminate on the basis of race, color, sex, religion, sexual orientation, disability, age, national origin, condition of pregnancy, family responsibilities or marital status, physical or mental limitations, source of income, educational association, gender identity or HIV status in the provision of services.
2. Client Definition: For the purpose of this policy document, the term "client" shall refer to an individual or organization that utilizes a City of Chelsea Public Access Channel service.

B. Cost of Services: Most City of Chelsea Public Access Channel services are provided free of charge.

C. Liability and Indemnification:

1. It is the client's responsibility to know and understand all applicable City of Chelsea Public Access Channel policies, procedures, and forms.
2. Clients assume complete financial and legal liability, and assume all risk, for their activities during utilization of City of Chelsea Public Access services.
3. City of Chelsea Public Access Channel and the City of Chelsea assume no responsibility for client actions, and will be indemnified and held harmless for any claims or damages resulting from client utilization of City of Chelsea Public Access Channel services.

- D. **Refusal of Services**: City of Chelsea Public Access Channel staff may refuse service if a Client:
1. Interferes with the orderly conduct of City of Chelsea business.
 2. Fails to comply with any City of Chelsea Public Access Channel policy.
 3. Is suspected of being under the influence of alcohol or drugs.
 4. Provides false representation as City of Chelsea Public Access Channel or City of Chelsea staff.
 5. Makes false or misleading statements on City of Chelsea Public Access Channel forms.
 6. Fails to follow direction/instruction from City of Chelsea Public Access Channel staff.
- E. **Appeal Process**: Clients may appeal a decision by City of Chelsea Public Access Channel staff by using the process delineated in the City of Chelsea Public Access Channel Policies.
- F. **Information Requests**: City of Chelsea Public Access Channel is a service of the City of Chelsea government, therefore, requests for information not generally made available to the public will be released only in accordance to the City's Freedom of Information Act policy.

SECTION 3: Services

- A. **Programming**:
1. A Client presenting a program assumes complete responsibility for the content of the program being submitted for telecast on the City of Chelsea Public Access Channel. The telecasting by City of Chelsea Public Access Channel of a program in no way insulates those involved in the production of the program from criminal or civil liability for the content of the program.
 2. The City of Chelsea Public Access Channel production equipment and channel may not be used for the presentation or production of advertising material designed to promote the sale of commercial products or services. Program material that advertises or promotes a commercial product or service, or solicits for funds, is prohibited. City of Chelsea Public Access Channel reserves the right to remove programming from the telecast schedule that is determined to be in violation of this policy.

3. The City of Chelsea Public Access Channel equipment, facilities, and channel may not be used for the dissemination of any information, directly or indirectly, involving lotteries.
4. Federal law provides that any person who transmits programming not protected by the U.S. Constitution over cable systems may be fined or imprisoned. City of Chelsea Public Access Channel MAY NOT be used to present material that is obscene or otherwise violates federal, state, or local law. City of Chelsea Public Access Channel reserves the right to remove programming from the telecast schedule that is determined to be in violation of this policy.

City of Chelsea Public Access Channel will provide a mechanism for the submission of formal complaints concerning the content of any program telecast on the Public Access Channel. The process will be used whether the complaint is filed by a viewer, staff, or some other person.

5. A Client presenting a program is required to fully and accurately complete all applicable City of Chelsea Public Access Channel forms prior to, or at the time of, submission of a program for telecast.
 6. A Client presenting a program assumes complete liability for the content of the programming he/she presents, and shall defend and indemnify and hold harmless the City of Chelsea and City of Chelsea Public Access Channel and their officials and employees from any and all claims which may arise from the telecast of the Client's program.
 7. A disclaimer stating that City of Chelsea Public Access Channel is not responsible for program content will be telecast on the channel at the beginning and end of each telecast day, and intermittently throughout the telecast day.
 8. City of Chelsea Public Access Channel will not review video material prior to telecast. City of Chelsea Public Access Channel will not censor submitted video material.
- B. **Technical Requirements:** City of Chelsea Public Access Channel reserves the right to establish minimum technical standards to reduce the risk of damage to City of Chelsea Public Access Channel equipment and preserve the integrity of the City of Chelsea Public Access Channel transmission signal.

- C. **Sponsorship Identification**: Financial underwriters of the program may be acknowledged by name and/or logo only at the beginning and/or end of the program. No addresses, telephone numbers or other promotional information is permitted. This acknowledgement may not exceed 10 seconds per underwriter. Total sponsorship identification is limited to 2 minutes total per program.
- D. **Program Scheduling**: Determination of the program schedule is at the discretion of the City of Chelsea Public Access Channel staff. Program presenters are required to fully and accurately complete all applicable City of Chelsea Public Access Channel forms prior to the submission of a program for telecast.
1. All accepted programs will be telecast at least one time.
 2. For the purpose of ensuring adequate availability of channel time to all potential clients, City of Chelsea Public Access Channel reserves the right to uniformly limit the amount of program schedule time available to each client for a given period (week/month).
 3. City of Chelsea Public Access Channel reserves the right to pre-empt scheduled programming. City of Chelsea Public Access Channel will attempt to notify a program presenter in advance and make an alternative schedule available.
 4. City of Chelsea Public Access Channel reserves the right to pre-empt programming for public safety announcements.
 5. City of Chelsea Public Access Channel reserves the right to limit the number of programs retained.
- E. **Violations**: Violation of City of Chelsea Public Access Channel policy and/or procedures may be grounds for suspension, or other sanctions.
- F. **Applicable Procedures**: Rules and procedures associated with City of Chelsea Public Access Channel services are delineated in a City of Chelsea Public Access Channel programming procedures statement and is available for review at the City of Chelsea office. A copy of this document will be provided upon request.

Adopted by Chelsea City Council at their regular meeting of October 23, 2007