



Administrative Policy
TV CHANNEL 4
Administration – A205

Effective Date:

09/05/2005

Revised Date:

YYYY

GOVERNMENT TV CHANNEL 4

Summary

Channel 4 is a cable television government channel provided in accordance with the franchise agreement between the Town of Payson and NPG Cable of Arizona, Inc. The mission of Channel 4 is to provide a noncommercial, informative, appealing, and mutually beneficial link between Payson and its citizens.

The goals of the channel are to connect the citizens of Payson and their government more directly, expand access to government information, provide an additional medium for the Town to respond to the needs and concerns of its residents, help residents make informed decisions, and encourage more residents to vote and become active citizens in Payson.

All programs that are broadcast over Channel 4 must be Town related and provide useful information to the residents of Payson, or otherwise, in the sole judgment of the Town, be of service to the community. Programs may include meetings, activities, programs, events and services of the Town's departments or other government entities, or local nonprofit organizations that adhere to the regulations outlined herein. The Public Information Officer will evaluate all requests for access to the government channel based upon this administrative regulation

Definitions

1) **Public Information Officer** - For the purposes of this Regulation, the Town Manager or his/her designee.

2) **GOVERNMENT CHANNEL PROGRAMMING**

A. Town of Payson Programming:

1. Live Programs: Live coverage for the meetings of the Payson Town Council, and any other Boards, Committees, or Commissions created by the Town Council that take place in the Town Council Chambers may be broadcast. Live coverage may also be provided for other meetings or events that take place.

Live coverage stipulations:

- a. Live coverage of all Town Council meetings shall take precedence over all other programming on Channel 4, except in the case of an emergency.
- b. Regularly scheduled Town Council meetings may be shown live. Those meetings may be replayed at the discretion of the Public Information Officer.
- c. Special meetings of the Town Council may also be shown live, except when those meetings are not held in the Town Council Chambers.



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- d. Workshops (meetings of the Town Council and Town Boards, Committees, and Commissions) generally will not be filmed or televised on Channel 4. However, on occasion, workshops of the Town Council and Town Boards, Committees, and Commissions may be shown at the discretion of the Public Information Officer when the meeting presents an issue that is of special concern to the residents of the community.
2. Prerecorded Programs: Meetings, events and programs that are prerecorded for presentation on Channel 4 may be broadcast at the discretion of the Public Information Officer.
3. Other Town Originated Programs: Programs produced by the Town may be broadcast on Channel 4. Such programming may include presentations by Town departments, issues related to Town government or with groups, Boards, Committees or Commissions that have been created by the Town Council.
- B. Governmental Programming - Material produced by municipal, county, state, federal, and/or quasi-governmental agencies that can be purchased, rented or borrowed is permitted for broadcast on Channel 4.
- C. Non-Profit Group and Other Outside Programming - Programs produced by local, nonprofit organizations may be broadcast at the discretion of the Public Information Officer so long as such programs comply with all of the terms of this Regulation and in particular the restrictions of Section 1.7. The Town may choose to broadcast externally-prepared programs or satellite programming if they meet policy guidelines, quality requirements, and are not in violation of copyright law.
- D. Emergency Programming - In the event of an emergency, critical information may be transmitted by the Town to the citizens through the use of Channel 4. Emergency messages take priority over all other programming on Channel 4 until the emergency situation is resolved.
- E. Community Bulletin Board - Computer messages generated by Town staff related to Town activities, programs, events, and services may be broadcast on Channel 4. Computer messages generated and provided by local, nonprofit organizations that adhere to this Regulation, including, but not limited to, Section 1.7, may also be broadcast. The Community Bulletin Board will be active whenever other programming is not being broadcast on Channel 4.



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Process

- A. Access Priorities:** The following is a list of general priorities that apply to the Town government channel:
1. Programming of an emergency nature involving public safety or health matters.
 2. Programming of or about meetings of Town policy-making bodies.
 3. Programming of various departments and their services.
 4. Programming produced by the Town for Channel 4.
 5. Programming of municipal, county, state, federal or quasi-governmental agencies.
 6. Programming provided by local, nonprofit organizations.
 7. Additional community/government programming
- B. Government Channel Management:** Management, budgeting, and programming of the Town government channel and facilities are provided through the Public Information Officer.
- C. Town Hall Meetings:** The Town Council Chambers and Channel 4 may be available upon request for Town Hall meetings of Arizona Senators and local Representatives to the U.S. Congress and the Governor of Arizona.
- D. Editing:** Live coverage of Town meetings and prerecorded coverage of other governmental meetings will not be edited or subjected to editorial comment. Meeting coverage will be from gavel to gavel. The Town reserves the right to edit other prerecorded programs for time and content, including those prerecorded by the Town and those provided by outside sources.
- E. Liability:** The Town will not be responsible for the accuracy of any information broadcast over the government channel, including information provided by outside sources.
- F. Use of Channel 4 Equipment and Facilities:** Use of Town-owned equipment and facilities is restricted to authorized Town activities and may be operated only by authorized Channel 4 personnel. Lending or borrowing of equipment for personal or outside use is strictly prohibited. The Public Information Officer will maintain current records of all equipment owned and operated by the Town for Channel 4 usage. Programs to be produced by the Town, either live or tape-delayed, will be at the discretion of the Public Information Officer.



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- G. Ownership and Retention of Programming:** All programming shown on the government channel becomes the property of the Town. The Town will retain copies of all programming, including copies of all live Town meetings, for a period of one year. These copies are not considered an official record of any meeting and carry no liability for inadvertent erasure or omissions.
- H. Access to Programming:** Programming produced by the Town for broadcast on the government channel is maintained by the Public Information Officer. Copies of recorded Town meetings and programming are available for purchase. Individuals interested in purchasing a copy of a particular program or meeting should fill out a Public Records Request form, which can be obtained from the Town Clerk's Office. Fees for copies of tapes shall be collected in accordance with the Comprehensive Fee Schedule. The Public Information Officer is entitled to dispense courtesy copies of programming for public relation purposes, media cooperation or interdepartmental use.
- I. Underwriting:** Channel 4 defines an "underwriter" as a third party that has voluntarily contributed money to finance, in whole or in part, the production or acquisition of a Channel 4 broadcast program. Investment partners, licensing partners and other distribution entities providing consideration for rights other than broadcast rights on Channel 4 are not underwriters and do not get acknowledgment on air (but must be revealed by Channel 4 and the Town of Payson).
- J. On-Air Underwriting Point of Display (POD):** No underwriting credit POD may be more than 60 seconds in length. No single underwriter may receive more than a 15-second credit. Whenever one underwriter is mentioned, all must be acknowledged. The underwriting credit POD at the beginning and the end of the program will, in most cases, be the same length. The credits, however, need not be identical.
1. Frequency of POD: The underwriting credit POD must appear at the end of the program and may appear at the beginning. For public affairs programming the underwriting must be disclosed both at the beginning and at the end of the program.
 2. Placement of Underwriting Credit POD:
 - a. Top of Program: The initial credit POD should be placed after a program open or program tease in order to separate national underwriting from local underwriting, but no later than three minutes after the program open.
 - b. Middle of Program: It is at the sole discretion of the Public Information Officer to determine whether a program will receive a mid-program break and whether that break is long enough to accommodate an underwriting credit POD and/or other transitional elements.



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- c. End of Program: The underwriting credit POD should appear either immediately before or immediately after the final production credits.
- d. Order of Acknowledgements: Underwriters should be credited in alphabetical order.

Preamble: The introduction or preamble to the underwriting counts as part of the total 60 seconds allotted. The Public Information Officer must specifically approve any preamble containing the words “brought to you by” or “sponsor.” An acceptable preamble would be: “This program made possible by....”

- K. Underwriting Credit Clearance:** The underwriter is ultimately responsible for the entire underwriting credit POD and for submitting the POD and credit form. If any credits are already produced and/or approved, this should be indicated on the form (with approval date, if applicable), along with all the other information required. Preambles should also be included on the form. Underwriting Credit Clearance Forms can be obtained from Channel 4.

- L. Underwriting Regulations:** In addition to achieving the policy objectives established by Channel 4, these guidelines also serve to ensure that programs will be in compliance with regulations of the Federal Communications Commission (FCC). The FCC's rules require broadcasters to "fully and fairly disclose the true identity" of all program funders. From the Commission's standpoint, the purpose served by underwriting credits is to identify the funder in the interests of full disclosure, not to promote the funder or its products and services. Consistent with this purpose, the FCC has determined that underwriting credits on public television programs may include the following identifying information in addition to the underwriter's name:
 - 1. Logograms or slogans that identify and do not promote.
 - 2. Location information and telephone numbers.
 - 3. Value neutral descriptions of a product line or service.
 - 4. Brand and trade names and product or service listings

At the same time, however, the FCC has indicated that the public broadcaster's good faith judgment must be the key element in meeting the determination of Congress that the service should remain free of commercial and commercial-like matter. In addition to FCC regulations, the Federal Trade Commission, the Food and Drug Administration, and other federal agencies also regulate the television depiction or description of some products or services. Due to the volume and complexity of these regulations, Channel 4 must rely on the underwriter and its advertising agency to ensure that credits are produced in compliance with applicable regulations. In addition, Channel 4 will reserve the right to require the underwriter to indemnify Channel 4 against claims or losses arising from alleged or actual non-compliance with such regulations.



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In addition to ensuring that underwriting credits on Channel 4 programs comply with federal regulations, these guidelines are also intended to ensure that the funders of Channel 4 programs are all treated fairly and consistently with respect to on-air credits; to ensure that all funding credits are presented in ways that are aesthetically pleasing; to minimize clutter and extraneous material, and to establish clear standards that can be incorporated by all public television stations in the administration of local underwriting policies

M. Qualifications: The following information must appear for at least three (3) seconds and must appear at the same time as the name or logo of the brand underwriter.

1. **Corporate Divisions and Subsidiaries:** If the funding comes from a bona fide operating division or subsidiary of a corporation, that division or subsidiary may be identified by its logo or name. It is not necessary to identify the parent corporation, but it is permissible to do so (e.g., a credit may be given to Lincoln-Mercury or to the Lincoln-Mercury Division of the Ford Motor Company).
2. **Brand names:** In some cases, the name of a corporation and its brand are the same; for example, Coca Cola, Apple and VISA. But in some cases, brand names are not the same as the corporation's name, nor are they bona fide divisions or subsidiaries of the parent company. For example, Jell-O is a brand owned by Kraft. Crest is a brand owned by Procter & Gamble. Tylenol is a brand owned by McNeil Consumer Products Co. Brand names that are not corporate entities may still be identified as an underwriter provided that the corporate owner of the brand name, i.e., the accountable entity, is also fully and clearly disclosed on-air. This can be accomplished by superimposing a lower-third disclosure statement. For example: Jell-O™ is a registered trademark of Kraft.

N. Restrictions: No underwriting credit may in any manner whatsoever depict or refer to any tobacco products, or alcohol products. Channel 4 and the Town of Payson, subject to a general “waist-to-knee” prohibition, shall evaluate display of personal products on a case-by-case basis.

O. In-Kind Goods and Services: A production assistance credit may be given for in-kind goods and services that have been provided to Channel 4 or the Town of Payson at no or nominal cost. Such credit shall only be given when important and necessary to do so. In-kind credits may appear as text in video only and must appear within the normal production credits using the same style, font, color and background as all other production credits. Production assistance credits may identify the actual product or service provided. The text of the video-only credit will generally incorporate one of the following phrases: “Production assistance provided by...” or “(Item/service) provided by...” or “Special thanks to....”



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STIPULATIONS AND PROHIBITIONS

A. Stipulations

1. The Town reserves the right to edit all programs and messages for content and length.
2. The Town reserves the right to limit the number of programs and messages placed on Channel 4 by any organization.
3. Government-oriented programs and messages take precedence over those programs and messages submitted by other organizations.
4. Programs and messages must adhere to all other regulations contained within this document, including those which apply to prerecorded programs.
5. By accepting a program or message from an outside group or organization, the Town does not guarantee placement of that particular program or message at any particular time or at all on Channel 4.
6. The Town will not be held responsible for any erroneous or inaccurate information placed on Channel 4, which was supplied to the Town from an outside organization.
7. Religious organizations organized under section 501(c)(3) of the I.R.C. will be allowed to submit messages only. Such messages that shall contain only the location, time of service and head of the organization. Religious organizations can also furnish information to Channel 4 about special events in the community, such as youth meetings, speakers, homeless shelters, food for the needy and other social activities that may benefit the community. Messages submitted under this section shall not contain proselytizing content.

B. Prohibitions: Channel 4 is exclusively a medium for broadcasting Town programming. No business, private enterprise or citizen shall have the right to use this medium for any purpose or communication. Channel 4 is not a public forum to exercise free speech. Furthermore, the government channel shall not be used for the presentation of:

1. Commercial programs, messages, or advertising that promote the sale of any commercial product or service offered.
2. Information concerning any lottery, gift enterprise or similar promotion offering prizes based in whole or part upon lot or chance.
3. Material that would be in violation of any municipal, state or federal law.
4. Obscene material, indecent material or material soliciting or promoting unlawful conduct.
5. Political debates, political lobbying, or political campaigning.
6. Notwithstanding subsection 5 above, candidate forums for Payson Town Council and Mayoral elections, sponsored and conducted by organizations other than the Town, shall be permitted, so long as an invitation to attend and participate in the candidate forum is extended to all persons whose names will appear on the ballot for such offices.



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