

**Adopted November 20, 2001**

**Sec. 4.2.5 Adopted Sept. 14, 2006**

**Sec. 4.2.7 Adopted July 11, 2002**

## **1.0 Definitions**

The terms “Public, Educational, and Government” (PEG) access to local cable television cablecasts, as they are commonly used in the Federal and Maine laws, are taken to mean one or more of the following types of access.

### **1.1 PEG Access**

1.1.1 Community Access: The cablecast of programming of community interest by paid or volunteer individuals.

Community Access Television uses a town-owned cablecast facility. Paid staffs of professionals oversee cablecasting. Commercial messages or advertising are not allowed on a Community Access channel except within parameters of section 1.1.3, and rules, proposed by the Town Cable Committee, adopted by the Town Council, and enforced by the Town Manager (or designee) control the programming.

1.1.2 Education Access: Access provided by the Town for the purpose of assisting the public education effort. That can include programming for, or by, students in the classroom, or programming designed to inform parents and other taxpayers about events or activities in the schools. It can also include educational programming that is created in the schools or by the library staff, but cablecast to the community for general educational purposes.

Education Access programming is usually originated in a school, often using school-owned equipment. It can, but does not necessarily include interactive television connections between schools. This is publicly supported programming, and does not accept any sort of commercial messages or advertising.

1.1.3 Government Access: Access provided for the express purpose of informing the public about events or activities within the Town Government. This includes things such as cablecast of Town Council meetings, School Board meetings, or such other events related to town government as the Town Cable Committee or Town Council might choose.

Government Access programming is originated at the request of the town, and is cablecast as a public service. Sponsorship credit ‘Billboard’ announcements identifying the name and address or service of a program sponsor/underwriter are the only acceptable commercial content allowed on the Brunswick town P.E.G. channel. The identification is to be no longer than :10 seconds per sponsor and no longer than a total of :20 seconds.

1.2 Local Access: This is considered synonymous with Community Access, and the two are used interchangeably. Definitions included under the Community Access heading above apply to the term “Local Access” as well.

1.5 The Brunswick Town Community Access Channel: The existing Brunswick Town Community Access Channel (the “Community Access Channel”) is on the basic service tier provided for by the Franchise Agreement between Casco Cable Television, Inc. (“Casco Cable”) and the Town of Brunswick. An additional Community Access Channel would become available under circumstances outlined in the current Franchise Agreement with Casco Cable. The Franchise Agreement provides that use of (Brunswick’s) two exclusive Community Access Channels shall be subject to such rules as the Town from time to time may establish. The Community Access Channel is a PEG Channel that may carry a combination of Community, Educational, and Government programming as defined in sections above. The management and access for the community Access Channel are defined in sections 4, 5, and 6 of these Guidelines.

## **2.0 Role of the Brunswick Cable Television Committee**

2.1 The Brunswick Cable Television Committee is a citizen committee appointed by the Brunswick Town Council to propose policies and advise the Town Council on the operation and management of access and programming on the community Access Channels provided to the Town under the provisions of the Casco Cable Franchise Agreement.

2.2 The Brunswick Cable Television Committee is composed of a Town Councilor, a School Board representative, a Public Library representative, a Casco Cable representative, and five additional citizens.

The Cable Television Committee is responsible for reviewing and monitoring compliance with the Franchise Agreement between the Town and Casco Cable, and for making recommendations to the Town Council as needed concerning cable television issues.

The Cable Television Committee is also responsible for reviewing the operation of the Community Access Channels allocated to the Town, and recommending to the Town Council any regulation concerning the use of the channels. The Committee will also work with representatives from other area towns on issues concerning joint use of the cable system.

2.3 The Brunswick Cable Television Committee is charged with developing a set of recommended policies that will govern the nature and extent of access to publicly managed community Access Channels. These policies will include, but are not limited to:

- 2.3.1 The structure for long-term management of Community Access Channels
- 2.3.2 The types of access allowed on Community Access Channels
- 2.3.3 Resolution of programming priority conflicts
- 2.3.4 Use of Town owned production equipment and facilities
  - 2.3.4.1 Qualifications for use and operation of equipment
  - 2.3.4.2 Procedures for use of equipment
  - 2.3.4.3 Storage of equipment
  - 2.3.4.4 Maintenance of equipment
  - 2.3.4.5 Movement of equipment
  - 2.3.4.6 Training procedures for operators
  - 2.3.4.7 Priority of use of equipment
  - 2.3.4.8 Requests for copies of cablecasts
- 2.3.5 Use of Community Access Channels for data transmission

### **3.0 Management Structure**

3.1 Management of all municipally owned cable television cablecasting facilities, except those separately owned and managed by the Brunswick School Department, will rest with the Town of Brunswick.

3.1.1 The Brunswick Cable Television Committee will advise the Town concerning the policies, guidelines and management that will govern the operation of the facilities.

3.2 The Town Manager or designee will be responsible for daily operations of the facilities including production, scheduling, cablecasting, personnel, maintenance of equipment, financial accounting, and a continuing, cooperative relationship with Casco Cable.

The Cable TV Committee will request basic funding for operation of Brunswick Community Access Channel(s) annually from the Town Council as a part of the Town Manager's budget request. The Cable Committee will provide the Town Manager with any budget requests and justifications in a timely manner and sufficiently early in the municipal budget process to allow proper consideration of the materials by the Town Manager.

#### **4.0 Guidelines for Access to Community Access Channels for Cablecasting**

- 4.1 Programs aired by Brunswick Community Access Channel(s) shall be noncommercial and of local community interest.
- 4.2 Access to the cablecasting facilities of Brunswick Community Access Channel(s) shall be granted by designee of the Town Manager according with the following conditions:
  - 4.2.1 Priority will be given to residents, employees, officials agencies, or commissions of the Town of Brunswick; the Brunswick School Department; and [Brunswick-based] non-profit groups.
  - 4.2.2 Any use of Brunswick Community Access Channel(s) facilities and /or program time on the Brunswick Community Access Channels, except for use by Brunswick employees for regularly scheduled programming, shall be by application to the Brunswick Cable Channel coordinator or in that person's absence to the Town Manager or his designee. Application shall be by filing a responsibility for program content form and talent release forms when required
  - 4.2.3 Cablecasting of programming on Brunswick Community Access Channel(s) at a specific time is not assured.
  - 4.2.4 A decision by the Brunswick Cable Channel coordinator or other designee of the Town Manager to deny access to cablecast time by any group or individual may be appealed to the Town Manager. Such appeal shall initially be made in writing. The Town Manager may also require the applicant to appear for verbal discussion of the case.
  - 4.2.5 All programming presented by independent producers for cablecast by the Town of Brunswick shall contain a disclaimer informing the viewing public that the program does not necessarily reflect the views of the Town of Brunswick, TV 3 or Comcast. The disclaimer may be inserted either before or after the program, or

both. The disclaimer shall be inserted as a video “slide”, and may in addition be in the form of an audio insert. The disclaimer must contain the contact information for the producer or copyright holder, including the producer or copyright holder’s name, address, and phone number and/or e-mail address.

In the case of programming to be aired in multiple jurisdictions, the producer/editor may replace specific references to Brunswick and Comcast with generic references to the municipality, the local public access station and the cable operator.

A sample disclaimer will be made available on request.

This policy will take effect immediately, and compliance with the policy shall be voluntary until January 1, 2008.

A disclaimer will not be required for programming sponsored directly by the Town of Brunswick.

- 4.2.6 Programming cablecast on the Brunswick Community Access Channel(s) shall not contain advertising to promote the sale of commercial products or services. Any solicitation of funds or advertising of material designed to promote the sale of commercial products or services, or any performance or promotion a lottery of any kind is prohibited. Programming shall not contain obscene, seditious, or unlawful materials as defined under municipal, state, or federal law.
- 4.2.7 The following guidelines specifically apply to political campaign messages on the Brunswick P.E.G. Channel. Political campaign messages for cablecast will be accepted only from bona fide candidates for elected public office or their campaign organizations, where the candidate’s name will appear on a ballot in Brunswick for national, State, County or local office, and from legitimate non-profit entities with a stated opinion regarding an election, an initiative or a referendum which will appear on a ballot within the Town of Brunswick. The sponsor’s name and/or organization must appear within the political campaign message. Political campaign messages may not include direct solicitation of funds or contributions to a candidate, a political campaign or a political organization. Political campaign messages must be no more than five (5) minutes in length and must be submitted ready for broadcast. Technical specifications are available from the Cable TV Coordinator. Taped political campaign messages will be accepted for broadcast only within the same period before an election as the Political Campaign Sign ordinance (Brunswick

Zoning Ordinance §604.8) in the Town of Brunswick, which is currently 60 days prior to an election. Political campaign messages will not be cablecast outside the time period indicated herewith and will not be accepted for cablecast on the P.E.G. Channel 'Bulletin Board'. In addition to the guidelines in this paragraph, all other guidelines in this document apply to all political campaign messages.

4.3 Locally produced programming shall have precedence over any other programming. The Brunswick Cable TV Coordinator, or in that person's absence the Town Manager or his designee, shall allocate cablecast times and use of production resources in a fair and equitable manner.

- 4.3.1 Within these guidelines, government programming shall be given first priority, educational programming shall be given second priority, locally produced community access programming shall be given the third highest priority, and all other programming shall be allocated time as available.
- 4.3.2 Scheduling conflicts shall be resolved by the Brunswick Cable TV Coordinator, or in that person's absence by the Town Manager or his designee, in accordance with guidelines provided by the Brunswick Cable Television Committee.
- 4.3.3 Programming regularly produced by others, but of general interest to the Brunswick community (such as "Navy News"), shall be submitted by a sponsoring Brunswick resident.

## **5.0 Guidelines for Access to Town of Brunswick TV Production Facilities**

5.1 Access to the production facilities of Brunswick Community Access Channel(s) shall be limited to agencies, employees, officials, agents or commissions of the Town of Brunswick or the Brunswick School Department and use shall be limited to governmental or educational programming only.

- 5.1.1 Production equipment will be operated only by employees, agents or contractors of the Town qualified by test or certification as being properly trained in its use.
- 5.1.2 Production facilities will not be made available for Community Access programming.