



**BRANFORD COMMUNITY TELEVISION, INC. (BCTV)**  
**RULES AND REGULATIONS**  
**Revised August, 2009**

There are many ways you, as a resident of Branford or a person working in Branford, can take advantage of opportunities provided by Branford Community Television, Inc. (hereinafter referred to as BCTV):

- produce a program using your own or BCTV's studios;
- provide a program you think should be seen by your neighbors;
- volunteer for BCTV helping others get their programming out to our community.

These guidelines provide the basic rules we expect all to follow because much time and monies have gone into making this studio and these facilities available. We need to protect these for everyone to use. BCTV reserves the right to interpret and implement these guidelines.

**I. BECOMING A PUBLIC ACCESS PRODUCER**

If you have an idea for a program that is noncommercial and of interest to Branford residents, you can become a producer. A "producer" determines the creative elements of programming.

**A. Producer's Responsibilities:**

1. BCTV wants you to be familiar with the skills necessary to put together a simple television program. There are training workshops available throughout the year. Please call BCTV at 203-481-3232 for more information.
2. As the Public Access producer you have the responsibility of:
  - a. putting a crew together
  - b. scheduling the use of facilities
  - c. contacting guests
  - d. doing research and writing
  - e. securing permission for use of copyrighted material and release forms (a sample release form is attached).

- f. providing talent and so on.
- 3. As the Public Access producer you must adhere to all BCTV rules and regulations stated here.
  - a. Further guidance is provided under III E. Studio Productions.
- 4. You are responsible for making sure that the program and individuals involved in the production adhere to BCTV rules and regulations.

## **B. Program Content**

Material transmitted over the PEG Access channels, whether produced locally or provided from another source, must comply with the following criteria:

### 1. No Commercialism

There may be:

- a. no endorsement of any products and services;
  - b. no mention of prices or soliciting of monetary donations or contributions, including solicitation of funds on behalf of candidates for public office;
  - c. no use of the channel, facility or equipment, including the sale of production and tapes, for financial gain;
  - d. no selling or promotion of program time, charging guests or otherwise engaging in profitable use of the studio facility or tapes produced;
  - e. no mention of seminars, lectures, or consultation for which the viewer will eventually be charged; and
  - f. no mention of commercial activities including but not limited to convert and club dates.
- 2. No promotion of lottery material, gift enterprises or similar schemes.
  - 3. No libelous, slanderous or illegal material.
  - 4. No obscene material, sexually explicit conduct, or material soliciting or promoting unlawful conduct.
  - 5. No material that incites violent or harmful acts on other persons.
  - 6. No agency or fiduciary relationship may exist between producers, hosts and guests.



7. No programs that contain any material otherwise unprotected by the Constitution of the United States.
8. No programs requiring union residual or other payment including but not limited to talent and crew unless those payments have been executed or waived.
9. When a program in a language other than English is submitted to BCTV, include a written synopsis in English of the content along with the Access User Agreement.

### **C. Publicity and Promotion**

We encourage you to publicize your program. Every attempt will be made to cablecast cast programs as scheduled; however, BCTV cannot be held responsible for any funds expended on advertising or publicity in the event of failure to cablecast cast as scheduled.

### **D. Viewer Response**

1. You may encourage viewer response by displaying your address and/or phone number as part of the end credits for 15 seconds or, if the program is 30 minutes or longer, during a break for 15 seconds.
2. The response address or phone number may not be that of a commercial business or service, and no business names can be displayed.
3. The only lead announcement allowed is "For more information contact:"
4. BCTV's address or phone number must not be used for this purpose.

### **E. Sponsorship**

1. Sponsorship or financial assistance by a business, individual or nonprofit organization is allowed.
  - a. Sponsorship contributions are for production expenses exclusive of time (i.e., videotape, props, transportation for guests) and may not exceed the cost of the production.
  - b. All sponsorship must be declared prior to production or scheduling of cablecast in the Access User Agreement.
  - c. Commercial advertising is prohibited on BCTV at any time. (Sponsorship acknowledgement is only allowed if it does not create an advertising or promotion effect).
  - d. Sponsorship announcements may not be a call to action or make comparisons with other businesses, products or services in quality, price, availability, etc.



- e. Any description or discussions of the sponsor's business or function within any part of the production will be construed as commercialism and will be in violation of these Public Access Guidelines.

## 2. Placement of Credits

- a. Sponsor credit may appear at the beginning and/or end of the program in audio and/or video.
- b. Sponsor credits may be 15-30 seconds in length per sponsor. In the case of multiple sponsors, total sponsor credit may not exceed 45 seconds (1 minute 30 seconds if it appears at the beginning or end).

## 3. Permissible Audio

- a. Sponsorship must contain the following lead announcement followed by the names of the sponsors. (No other description of the sponsor is allowed). "The following/preceding Public Access Program has been presented through the assistance of..."
- b. General musical background provided it is not promotional. No jingles.

## 4. Permissible Video

- a. Corporate, partnership, proprietorship or other business logos, animated or otherwise are permitted.
- b. Non-promotional slogans or tags are permitted.
- c. The outside view of the business or enterprise, as long as it is not promotional, is permitted.
- d. Sponsor's name, address and phone number is permitted.

## 5. Courtesy Credits

- a. Credits at the end of the program which acknowledge contributors to the production including in-kind services such as "hair by" are considered courtesy credits.

The in-kind services provide by a business or enterprise must have been used during the actual production in which the credits appear.

- b. Acknowledgement of the contributor may be displayed as part of the end credits, not during the program.
- c. Courtesy credits are in addition to sponsorship.
- d. Length of the credits must comply with E.2.
- e. All programs utilizing BCTV's or other Access Facilities' resources or equipment must credit such entities.



## **F. Producer's Rights**

1. As the producer(s) of PEG Access Program(s) you retain all the rights to the content of your program(s).
2. Your signature upon a PEG Access Channel application does not relinquish any rights of ownership by you, the producer; rather, it merely gives BCTV limited rights to cablecast your program
3. BCTV will not:
  - a. Duplicate a program, or any portion thereof, without prior permission of the producer, except when a Public Access sampler program is being compiled for the purpose of promoting the concept of Public Access.
  - b. Use your program on any commercial or non-PEG-Access channel(s) or distribute the program commercially.
  - c. Make a copy of your program for a third party, except when required by a Regulatory Body or Court of appropriate jurisdiction.

## **II. CABLECASTING:**

- A. There are two groups of cablecasters. One is the "Producer(s)"; the other is the "Provider(s)" who have program(s) produced elsewhere which they wish to be seen on BCTV. Both Producer(s) and Provider(s) are Access Users. Here are the few guidelines to apply for a Cablecast Program time slot(s):
  1. Provide a signed Access User Agreement form for each program to air.
  2. Access Users are expected to submit all programs at least fourteen(14) days in advance of their requested program time slots. Requests may be made up to sixty (60) days in advance. BCTV reserves the right to waive this rule.
  3. All requests for cablecast must be made by the producer, or the provider, to the BCTV studio located at 40 Kirkham Street.
  4. Once granted a program time slot(s) only the producer, provider or BCTV may cancel that scheduled time slot(s).
  5. BCTV reserves the right to cancel any scheduled programming on the basis that the program does not meet required technical standards or the program is in violation of FCC regulations governing program content.
  6. BCTV will make every possible attempt to air all programs within seven (7) days of their submission.
  7. BCTV cannot be held responsible for a failure to cablecast programs as scheduled for any reason, including, but not limited to technical difficulties.
  8. BCTV accepts the following video formats: VHS, S-VHS, DVD-R, and Mini-DV.
  9. Programs submitted to air on the BCTV Government Access Channel must be submitted by a branch of, or by an elected or appointed official of, the Federal, State or Local government, or BCTV.



## **B. Program Time Slot Availability**

A Program time slot is equal to the length of the program. When scheduling conflicts arise, BCTV will give preference to locally produced programs.

### **1. Single Programs**

- a. Producers, or Providers, are allowed to select a total of eight (8) available time slots over a four (4) week period per program. However, in the event unscheduled time is available, BCTV may air said program if time permits.

### **2. Series**

- a. A series is a program that runs two (2) to twelve (12) consecutive shows within a given series framework, by using the same title and format. The content of the show from one program date to the next must change. The series may be a weekly, bi-weekly, or monthly series.

### **3. Programs for Live Cablecast**

- a. All live cablecast program requests must have the Producer submit a "BCTV Live Program Outline" at least two (2) weeks prior to the scheduled program.
- b. Live cablecast requests will be subject to the same scheduling parameter as a single program.

## **III. USING BCTV EQUIPMENT AND FACILITIES**

BCTV has portable production equipment and maintains a studio and editing facilities at 40 Kirkham Street, Branford for training and Public Access Productions.

- A. **Use of the BCTV equipment and facility** is available to Branford residents or those working in Branford, if they are eighteen (18) years of age or older and have been verified by BCTV as to their competency skills to operate the equipment in a safe and non-damaging manner.

Minors may use BCTV equipment if they have a parent or legal guardian sign the Access User Agreement, and have demonstrated sufficient maturity and proficiency in the use of equipment.

### **B. Reserving the production facility and equipment:**

1. BCTV schedules the use of the equipment, editing and production facilities on a first-come, first-served non-discriminatory basis.



2. Access Users are required to give at least forty-eight (48) hours advanced notice of cancellation for reserved studio or editing time. Access usage time is non-transferable.

**C. A separate studio and/or editing facility use form** must be completed and on file for each time the facility is used and it must include the following information:

1. the name, address and telephone number of the applicant;
2. the name, address, contact person and phone number of any parent organization
3. the name address, contact person and phone number of any funding sponsor, amount of funding and a breakdown of funding and expenses;
4. date of use, time in and time out;
5. name of program and projected cablecasting date;
6. facility used;
7. names of any guests and crew members;
8. and any other information as deemed necessary by BCTV

**D. Circulating Portable Equipment**

1. BCTV shall designate which equipment falls within the category of circulating portable equipment. Access equipment may not be used for personal use (other than Public Access usage), or profit-making purposed (either by a group, individual or sponsor).
2. Individuals must demonstrate to BCTV satisfactory knowledge of portable equipment usage in order to take equipment off the premises provided they agree to comply with all applicable guidelines set forth herein.
3. The portable equipment is available for loan on weekends from Friday 5:00 P.M. to Monday 9:00 A.M. During the week, it is available on a forty-eight (48) hour period. An Individual Access User or Group may borrow the equipment a maximum of four (4) times a month.
4. A list of Public Access equipment , loaned from time to time by BCTV is listed in Appendix C, however BCTV shall determine which equipment can be loaned at the time.
5. The Access User must sign the Portable Equipment Use form before taking the equipment and agree to exercise due and proper care of the equipment in accordance with instructions given by BCTV.
  - a. The equipment should be kept under lock and key when not in use and must not be left exposed to weather-related elements such as direct sunlight, extreme temperatures, etc.
  - b. The individual checking out the equipment will bear all costs if equipment must be repaired or replaced.
  - c. Penalties for the return of late equipment are included in the "Violations" section.



- d. Portable equipment can not be taken out of the State of Connecticut. Exceptions for Special Circumstances must be obtained from the Station Manager; if that person is not available then the Chairperson of the Equipment and Facilities Committee; and if that person is also unavailable, then the President of BCTV.
  - e. Access users must consult with BCTV before changing the wiring or connections or adding in any accessories.
6. Equipment is upgraded and replaced as needed. BCTV is not responsible for replacing damaged or malfunctioning equipment while it is out for repair.

## **E. Studio Productions**

BCTV Staff and Selected Board Members will give technical assistance and consultation to assist you in maximizing the success of your production within the limits of the time and equipment allocated for your use. It is your responsibility as a Producer to work within the technical capabilities of the facility and to modify all production requirements accordingly prior to commencement of production.

1. You must provide your own videotape, either S-VHS format, VHS videotape of reasonable quality, DVD-R or Mini-DV tape.
2. There is a simple set and some basic props. You may supplement with your own set and props, but BCTV can not provide storage. It is recommended to limit your talent to four (4) people on the set at one time.
3. It is also your responsibly to provide a director and crew.
4. Productions that create excessive noise (e.g. live bands) or disrupt other activities in the building will be schedules at the sole discretion of BCTV.
5. It is recommended that persons appearing before the camera do not wear white clothing or large reflective jewelry as these will adversely affect lighting and contrast.

## **IV. Miscellaneous**

**A. A BCTV staff member** or member of the BCTV Board of Directors **MUST** be present at all times during use of the BCTV Studio, Control Room and/or Editing Facility. Thus, Producers should be aware of BCTV's facility operation hours and must adhere to those hours.

### **B. House Rules**

1. No food, drink or smoking is allowed in the studio, control room or edit room. However coffee, water, etc used on a set during a production or when the show features food preparation is allowed. Producers and their crews should plan to eat meals prior to arriving at BCTV.

### **C. Assessment of Access User Charges**



1. There are no charges for the use of the Public Access Channel and/or facilities.
2. If any studio or portable equipment is lost, broken or damaged, exclusive of normal wear and tear, the Producer shall be responsible for the full cost of repair and/or replacement as required.

#### **D. Access Records and Public Inspection**

BCTV shall maintain a complete record of the names and addresses of all persons requesting cablecasting time for a period of two (2) years. Records of all studio/editing facility or portable equipment usage shall also be maintained. These records will be available for Public inspection during normal business hours. Persons requesting Public inspection shall identify themselves by name and address in order to maintain administrative control of such records.

#### **E. Reservation of Rights**

BCTV does not enter into any contract or other binding agreement with any Access User, Applicant or Person seeking to become an Applicant of Access User by virtue of the existence of these rules and policies. BCTV expressly reserves all rights to alter, adjust, modify, change, delete or substitute, and to implement and enforce, these rules and policies. Nothing contained herein shall be construed to constitute a waiver of BCTV's rights under applicable law.

### **V. VIOLATIONS AND PENALTIES**

In order for these Policies and Procedures to be effective, a penalty system has been instituted. There are two (2) types of rules which, if violated, can result in restrictions on an Access User. BCTV is authorized to issue warnings and suspensions, and will do so in writing stating the violation and penalty.

#### **A. Major Violations**

Major violations will result an immediate ninety (90) day suspension. These may include, but are not limited to:

1. commercial or profit-making use of facilities
2. falsifying forms
3. taking or reserving equipment without BCTV permission
4. abuse of equipment, including attempted repair
5. changing wiring, connections or attaching accessories without staff authorization

#### **B. Minor Violations**



1. Minor violations include, but not limited to:
  - a. failure to cancel a reservation in accordance with - - - -
  - b. late pickup or return of equipment without notification and approval
  - c. mishandling of equipment
  - d. eating, drinking or smoking in prohibited areas
  - e. failure to cleanup after using the facilities
2. Minor violations will result in the following series of actions within a one (1) year period
  - a. first violation – written warning
  - b. second violation – thirty (30) day suspension
  - c. third violation – ninety (90) day suspension

### **C. Appeals**

Access Users are encouraged to resolve difficulties with BCTV. Anyone wishing to appeal a decision of BCTV may do so in the following manner:

1. within ten (10) days of an action of BCTV, the Access User may request in writing a meeting with a Committee of the BCTV Board in order to resolve the situation. The Committee shall meet within ten (10) working days of the request.
2. within ten (10) days of the above meeting, the Access User may request, in writing, a hearing before the Committee. The Committee shall meet within ten (10) working days of the request.
3. The Board may elect to review an action of the Committee at their regular meeting.

**D. After suspension of rights**, one may return under Probation. The limitations, if any, of the Probation will be determined by the Station Manager.



## Appendix A



## Appendix B

### DEFINITIONS

- A. Public Access** – the use of a cable television channel for non-commercial programming by any person other than the franchise holder.
- B. Community Access** – (DPUC Regulations Section 16-333-33a(b)) – the same as Public Access, including the conception, production, editing and showing of programming by an Access User.
- C. Person** – any individual, corporation, joint venture, public benefit corporation, political subdivision, governmental agency or authority, municipality, partnership, association, trust or estate, any other entity, public or private, however organized.
- D. BCTV** – Branford Community Television, Inc.
- E. Access User** – (DPUC Regulations Section 16-333-33a(a)) – any person other than a company’s employee or paid consultant, who is involved in the production, editing or support of Community Access Programming.
- F. Applicant** – any person who has applied for use of Community Access.
- G. Cablecasting** – programming, exclusive of broadcast signals, carried on a cable television system.
- H. Access Programming** – non-commercial programs cablecast by an Access User on an Access Channel.
- I. Public Access Channel** – that cable channel(s) or portion(s) of channel(s) that are specifically designated by the Company for use by Access Users.
- J. Lottery** – any device, scheme, plan, promotion, contest, or other program and/or presentation which involves directly or indirectly the elements of prize, chance and consideration; or any such device, scheme, plan or promotion, contest or other program under applicable local, state or federal law. This shall mean any lottery conducted the State of Connecticut or its lawfully authorized agent.
- K. Lottery Information** – any advertising or information concerning any lottery, gift, enterprise or similar scheme offering prizes dependent on whole or in part upon lot of chance or any list drawn or awarded by means of any such lottery, gift, enterprise or scheme, whether said list contains any part or all of such prizes.
- L. Obscene or Indecent Material** – any material in a program and/or presentation which could subject the Producers, Suppliers thereof and/or BCTV to prosecution or penalty under local, state or federal law for the presentation of obscene or indecent material.
- M. Town Access Group** – Community based organization recognized by the Community and the Advisory Council as the party responsible for Public Access operations in a specific town.
- N. DPUC** – Department of Public Utility Control
- O. Time slot** – length of program
- P. Company – Comcast** – the holder of the cable television franchise for the area



- Q. Advisory Council** – the 7-Town (Branford, East Haven, Guilford, Madison, North Branford, North Haven and Wallingford) regional Advisory Council to the Company.
- R. Producer** – determines the creative elements of programming (e.g. content, place of production, manner of presentation, etc.).
- S. Provider** – assumes responsibility for a program produced by someone else.

