

City of Urbana
POLICIES & PROCEDURES
Administrative Regulation 50
Local Access Channel

Effective Date: September 1, 2009
Revised Date:
Issuing Authority: Bruce Evilsizor, Director of Administration

PROCEDURES

50.1 Definitions

PEG Channel—per Section 1332.21 of the Ohio Revised Code, “PEG Channel” means a channel for public, educational, and governmental programming, made available by a video service provider or cable operator for non-commercial use.

50.2 Local Access Channel

Per Section 1332.30G of the Ohio Revised Code (Public, Educational, or Governmental Programming Channels), PEG channel operation and programming shall be the sole responsibility of the municipal corporation or township. Except as otherwise provided in this section, the video service provider shall bear only the responsibility for the transmission to subscribers of the PEG channel programming once the programming is delivered to the video service provider.

The City of Urbana’s PEG Channel is referred in this Administrative Regulation as the Local Access Channel (LAC) and is broadcast on Channel 13 via CT Communications and Channel 5 via Time Warner Cable.

The purpose of the Local Access Channel is to provide to local cable subscribers an outlet for governmental, educational, and community information and programming.

50.3 Advisory Committee

The City has established an Advisory Committee to advise the City on issues regarding cable television services that relate to the Local Access Channel.

The Advisory Committee shall provide the City with advice concerning governmental, educational, and community issues that are relevant to Urbana and Champaign County, and the development and procurement of information, information services and programming responsive to these areas.

The Advisory Committee may consult with eligible governmental, educational, and community entities to identify relevant issues. The Advisory Committee may seek comment from members of the Urbana/Champaign community for further input on relevant issues and information, information services and programming.

50.3.1 Composition

The Local Access Channel Advisory Committee shall consist of 8 members, which shall be appointed by the Urbana Mayor from the following entities:

- Cable TV Representative
- City of Urbana Administration/Staff
- Community Organization At Large
- Ministerial Association
- Urbana City Council
- Urbana City Schools
- Urbana University
- Urbana/Champaign County Chamber of Commerce

50.3.2 Compensation

The members of the Advisory Committee shall serve without pay.

50.3.3 Removal of Members

Each member of the Advisory Committee shall be removable for cause by the recorded vote of a majority of the members of the Advisory Committee. Any member of the committee failing to attend four successive regular meetings without cause, acceptable and approved by the remaining committee members, shall automatically be removed from the committee and the vacancy shall be re-appointed from the designated agency by the Mayor.

50.3.4 Organization

The Mayor shall initially appoint a chair person who will hold this position for one year. In subsequent years, the Advisory Committee shall annually elect one of its members to act as chairperson. The Advisory Committee shall elect a member to serve as Secretary.

50.3.5 Open Meeting

The LAC Advisory Committee is not considered a public body and is not subject to Ohio’s Open Meetings Law (not a decision-making body, reports to the executive branch). However, generally the LAC Advisory Committee meetings are open to the public.

50.3.6 Meeting Frequency

The Advisory Committee should meet at least quarterly at a time and place which is mutually agreeable to the members.

50.4 Eligible Governmental, Educational, and Community Entities

Upon application to the City, local access information or programming may be broadcast over the local access channel capacity by an eligible governmental,

educational, or community entity. The term "eligible entity" means the following: the Governing Body, executive personnel or administrative personnel of the following:

- Cedar Bog Association
- Champaign Aviation Museum
- Champaign County Arts Council
- Champaign County Chamber of Commerce & Visitors Bureau
- Champaign County Commissioners
- Champaign County Family YMCA
- Champaign County Farmers Market
- Champaign County Governmental Offices
- Champaign County Historical & Genealogical Society
- Champaign County Library
- Champaign County Preservation Alliance
- Champaign County Senior Citizens Center
- City of Urbana
- Community Improvement Corporation
- Flying Lab Museum
- Johnny Appleseed Museum
- Monument Square District
- Ohio Hi-Point Career Center
- Simon Kenton Pathfinders
- Urbana City Schools (includes local school events)
- Urbana Ministerial Association
- Urbana University (includes local school events)
- Urbana Youth Sports
- Other entities determined eligible by the Advisory Committee and the Urbana Director of Administration.

The City of Urbana reserves the right to place quantity, duration, or content limits on submitted items.

50.5 LAC Coordinator

The Director of Administration, or his/her designee, is responsible for coordinating the operation of the local access channel. The Director of Administration, or his/her designee, will serve as the LAC Coordinator.

The City's LAC Coordinator shall be responsible for the physical operation of the local access channel.

The LAC Coordinator, in consultation with the Advisory Committee, shall be responsible for accepting programming information and materials from eligible governmental, educational, and community entities and to assist in and coordinate the production of programming for such entities as they may require, subject to available facilities, funds and personnel.

The LAC Coordinator, in conjunction with the Advisory Committee, may schedule, produce, and distribute a program schedule to community media, city staff and others upon request.

All material or programming submitted for broadcast is subject to the review and approval of the LAC Coordinator, who shall make such programming determinations in consultation with the Advisory Committee and consistent with these guidelines. The City of Urbana has the ultimate authority with respect to programming and material transmitted over the local access channel.

50.6 LAC Access

Local access channel broadcasting is available only to eligible governmental, educational, or community entities. The production and broadcast preparation cost is the responsibility of the submitting entity.

The LAC is intended primarily as a public service to the citizens of Urbana and secondarily as a public service to the citizens of Champaign County.

50.7 Programming or Information

The term "programming or information of a governmental, educational, or community interest" means video, audio, data and other intelligence which consists of or directly relates to:

1. The administration of government, educational, or community business;
2. Government, educational, or community business itself;
3. Programs, schedules, procedures or any other techniques that directly or indirectly assist the public in Urbana/Champaign County to receive or utilize government, educational, or community services.

Programming or information of a governmental, educational, or community interest could be:

1. Taped meetings of the Urbana City Council, Urbana Board of Education, or other City board & commissions;
2. Information regarding the responsibilities, operations and services offered by various City, County or State departments that may be of interest to the citizens of Urbana and Champaign County;
3. Public health and safety information or programs;
4. Listings of employment opportunities listings posted by applicable City, County and State agencies;
5. Listings of business hours of various government departments;
6. Descriptions and pictures of animals available for adoption from the animal shelter;
7. Various announcements and notices of services and functions.
8. Community events, such as parades, conferences, or ceremonies, which in the judgment of the LAC Coordinator or Advisory Committee are of significant value to the community.
9. Religious events and activities that are designed to be "community events" such as, community memorial services, baccalaureate services, & community

Thanksgiving services. (regular church services, or notification of regular church services are not subject to broadcasting).

Local access channel capacity may not be leased to third parties for uses unrelated to the provision of governmental, educational, or community access pursuant to these guidelines.

50.7.1 Political Programming Prohibited

No "political programming" shall be accepted for the local access channel. Nor may the local access channel capacity be used to influence the election of any candidate to state or local office. "Political programming" is defined as that programming which, if inserted on the local access channel capacity, would constitute a use by a legally qualified candidate or his or her supporters (authorized or unauthorized) that would give rise to requirements by a cable operator, if such programming were to have been inserted on a cable channel subject to the cable operator's control, to provide equal opportunities and quasi-equal opportunities to other such candidates for the same office or their supporters (authorized or unauthorized) under Federal Communications Commission (FCC) cable television regulations, e.g., 47 C.F.R. §76.3(q) and §76.205 et seq., and related FCC policies, rules and doctrines, including the "personal attack rule."

For these guidelines, the following are considered news events and are not "political programming:" meetings of and hearings before the City Council, the Board of Education, and City boards and commissions; debates among candidates for election to a particular office if such debate is conducted and produced by a neutral third party, each candidate is asked identical questions by a neutral moderator and is given time to respond, and all candidates for such election are invited to attend such debate.

50.7.2 Other Prohibitions

No programming shall be accepted for the local access channel if it contains obscene material, sexually explicit conduct or material soliciting or promoting unlawful conduct.

No programming shall be accepted if it contains information constituting a "lottery" (does not include community raffles for charitable or not-for-profit activities).

No programming shall be accepted if it contains commercial advertisements or solicitations for financial support for any group, organization or individual other than as expressly contemplated by these guidelines and with the express consent of the LAC Coordinator in consultation with the Advisory Committee.

No programming shall be accepted if it is libelous, slanderous or defamatory.

50.8 Modes of Broadcast

Modes of Broadcasting - Local access channel capacity may utilize the following broadcasting modes:

1. Tape Delayed - Events or presentations may be videotaped for broadcast at a later time. Digital copies of live broadcasts may be replayed.
2. Locally Produced Programs - Original programs that are governmental, educational, or community programming may be produced by eligible entities, including production. Any copyrights to locally produced bona fide governmental, educational, or community programming shall belong to the eligible entity producing such program. If such eligible entity is not organized and authorized to own such a copyright, the copyright shall belong to the City or the County or the State with direct jurisdiction over the eligible governmental entity.
3. External Programs - Bona fide programming may be acquired or borrowed by eligible governmental entities for the local access channel. The eligible entity shall be responsible for securing all copyright authorizations required for externally produced programs.
4. Bulletin Board - When a governmental, educational, or community video program is not being broadcast, the LAC may broadcast Bulletin Board messages from City residents or City community members. Bulletin Board messages from City residents or City community members may include the following:
 - a. Community Events
 - b. Non-Profit or Charitable Events
 - c. Religious events and activities that are designed to be "community events" such as, community memorial services, baccalaureate services, & community Thanksgiving services. (regular church services, or notification of regular church services will not be broadcast).

50.9 Review & Editing

Any programming submitted by an eligible entity for the local access channel may be previewed by the Advisory Committee or the LAC Coordinator for acceptance as programming of a legitimate interest. The Advisory Committee or LAC Coordinator may edit such programming to conform to these guidelines or reject the programming.

Legitimate access programming may be edited or modified to conform to scheduling and time availability. The preview, review and editing process shall be under operational control of the LAC Coordinator in conjunction with the Advisory Committee.

Bulletin Board Messages may be edited to provide clarity and to provide maximum use of the memory bank currently available. The submitting person/agency is responsible for ensuring the message has proper grammar and spelling. Message content generally will not be edited, but will not be inserted if inconsistent with these guidelines.

50.10 Retention of LAC Material

Any programming submitted by an eligible entity for the local access channel that is not accepted will be returned. Programming accepted for governmental access will be retained for the duration of the scheduled run of the programming, including repeat exhibitions, and for any such period of time as may be applicable under the City's policies for programming return, receipt and record retention.

Subject to copyright and licensing considerations, programming shall be available to the public for copying one week after the last scheduled run.

50.11 Programming Schedules

The LAC Coordinator in consultation with the Advisory Committee, is responsible for scheduling. The day-to-day management of schedules shall be through the LAC Coordinator. The program schedule, once publicized, generally will not be deviated from or added to except in the event of an emergency, as a result of technical difficulties or unavailability of the scheduled programming.

Programming will be scheduled according to the following priorities and guidelines:

1. Announcements concerning emergencies affecting health or safety or exigent circumstances may preempt at any time
2. Special meetings of the City Council.
3. Regular meetings of the City Council
4. Other public meetings and hearings
5. In-service use of government access channel
6. Information programming, news, & public interest
7. Sports programming
8. Repeats of public meetings and hearings for time diversity
9. Bulletin Board messages

Emergency programming is not subject to this requirement.

It is the City's policy to broadcast all programming of governmental, educational, or community interest submitted by an eligible entity, subject to the priorities and guidelines herein.

Scheduling requirements may, from time to time, preclude available broadcast time for all such programming for its intended broadcast date. The Advisory Committee shall use its reasonable efforts to accommodate such programming and entity by coordinating with other such entities to resolve potential scheduling conflicts.

The process to submit Bulletin Board Messages on the LAC channels is in Appendix 1.

50.12 Endorsements & Sponsorships

The endorsement of specific brands of consumer products is prohibited. No advertising, paid or unpaid, shall be accepted for the local access channel;

however, sponsor recognition is acceptable when the sponsor fees are utilized to cover the cost of producing the program. The sponsor recognition may only indicate the program is sponsored by a person, business, or organization and may not make reference to products, services, public office title, or candidacy for public office. The eligible governmental, educational, or community entity is responsible for administering their individual sponsorships.

Programming of a governmental, educational, or community interest produced by a commercial organization that contains the name and logo of the organization is not considered advertising or endorsements under these guidelines. An example is a fire prevention tape produced by a smoke alarm company offered for access by the Urbana Fire Division.

Individuals or organizations that provide contributions to the City or to a municipal instrumentality of the City that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code to support governmental access or specific programming of a legitimate interest may be identified by name and, if a business or organization, the display of their business or organization logo and tagline, consistent with Section 399B of the Communications Act of 1934, as amended, and FCC regulations (47 C.F.R. § 73.503(d)) and policies and guidelines governing the noncommercial, educational broadcast services with respect to so-called "underwriting announcements." There shall be a receipt mechanism for any such contribution. Such underwriting announcements or acknowledgments shall be for identification purposes only and shall not promote the contributor's products, services or company. Such announcements may not contain comparative or qualitative descriptions, price information, calls to action or inducements to buy, sell, rent or lease.

Promotional announcements concerning upcoming programming may be broadcast.

50.13 Equipment & Facilities

Equipment and Facilities - Any and all equipment or facilities acquired by or made available to the City for the local access channel will be under the direct supervision of the City.

50.14 Policy Revisions

The City, in consultation of the Advisory Committee, may from time-to-time amend or repeal these regulations as it deems fit.

City of Urbana
POLICIES & PROCEDURES
Administrative Regulation 50
Local Access Channel
Appendix 1—Procedure to Submit Bulletin Board
Messages

Effective Date: September 1, 2009
Revised Date:
Issuing Authority: Bruce Evilsizor, Director of Administration

Bulletin Board messages must be submitted in a Microsoft Powerpoint file containing only one slide (see exception below). The number of slides per announcement should be kept to a minimum (1 – 3 slides). PPT files may be emailed to urbanaoh@ctcn.net (this is the preferred method of submittal).

Bulletin Board messages must be submitted to the LAC Coordinator at least 3 business days prior to the intended insertion date except for special public announcements (such as ball field closings).

Submitted Bulletin Board messages will be broadcast for up to thirty (30) days.

If there is a print-out with graphics or a jpg file that should be made into a slide, the fee is \$25. The information must be emailed to urbanaoh@ctcn.net or brought to the Urbana Finance office. Allow five business days for the slide to be created and put on the LAC.

If needed, the Champaign County Library has the PowerPoint software, an internet connection (for emailing PowerPoint slides), and USB ports (for copying a PowerPoint file on a flash drive) on many of the computers available for the library patrons—this community resource is available and may help some in preparing their Bulletin Board messages.

City of Urbana
POLICIES & PROCEDURES
Administrative Regulation 50
Local Access Channel
Appendix 2—Procedure to Submit Video
Programming

Effective Date: September 1, 2009
Revised Date:
Issuing Authority: Bruce Evilsizor, Director of Administration

Approved organizations may submit community-oriented videos to play on the Local Access Channel (LAC) which is produced by the City of Urbana and runs on Ch. 5 on Time Warner Cable and Ch. 13 on CT Communications. If not yet approved, organizations may submit a Request for LAC Approval Form to the LAC Committee for consideration at the next meeting.

Videos must be submitted on a Windows-readable DVD in mpg format according to the guidelines below (see exception below).

- MPEG-1 and MPEG-2 video coding standards are supported.
- Acceptable stream types are MPEG-1 System Stream or MPEG-2 Program Stream (consisting of a single elementary video stream with an optional single elementary audio stream). **Note that Transport Stream will not work.**
- There are only three video resolutions supported and they are:
352 x 240 (horizontal x vertical)
352 x 480
720 x 480
- Picture rate must be 29.97 pictures per second.
- The maximum bit rate allowed is 10Mb/s.
- NTSC format with 4:3 aspect ratio is required.
- 4:2:0 sampling format is required. (Main profile at Main or Low Level, $\leq 10\text{Mb/s}$)
- IBBP Picture Group (GOP) is recommended for best quality. (30 frame maximum GOP size.)
- Encode header information in stream every few seconds to aid in error recovery.

- Audio, if present, must be encoded in the MPEG file using **Audio layer II**.
- Audio may be encoded at 32, 44.1 or 48KHz sampling frequency. 44.1 is the recommended frequency.
- Mpeg files must be burned on a Windows-readable DVD. Even though the DVD holds 4GB or more, the individual files can be no more than 2GB. If the mpg file is more than 2GB, you must split it into multiple mpg files before burning onto DVD.

The DVD can be dropped off at the Urbana Finance Department during regular business hours. Please leave your name and number where you can be reached in case the LAC Coordinator has any questions. All videos will utilize the broadcast cycle of the Urbana City Council meetings unless otherwise authorized by the Director of Administration or his/her designee (when a video is submitted, the video will commence broadcasting when the next City Council video is broadcast).

The DVD may be picked up within one month of submission, otherwise it will be destroyed.

Videos may be submitted on a playable DVD or a VHS tape, provided the following conditions are met.

- \$25 is charged to convert the video to mpg which is required by the system.
- The DVD/tape must be labeled with the running time. If the time is off by more than 2 minutes, an additional fee of \$15 will be charged to convert to mpg. The DVD can be dropped off at the Urbana Finance Department during regular business hours. Please leave your name and a number where you can be reached in case the LAC Coordinator has any questions.
- Up to 3 business days are required to convert to mpg plus the 3 business days to put on the LAC.
- The DVD / VHS tape may be picked up within one month of submission. Otherwise it will be destroyed.