

YCTV – “The Peoples’ Channel”

YCTV is “The Peoples’ Channel.” YCTV has been created by and for everyone and can be used by everyone to share information with our community. Through YCTV, average people have access to the powerful and pervasive medium that is television.

YCTV is one of more than 2500 “PEG” access television operations in the United States. “PEG” stands for **P**ublic, **E**ducational and **G**overnment access television. As cable TV began to flourish in the late 1970s, a group of visionaries convinced Congress to set aside space on cable systems for use by the public. That “public space” on the cable system took the form of PEG access TV.

Public access TV provides the opportunity for average people to create and/or air programs that reflect individual hobbies, thoughts, ideas, interests, etc. **E**ducational access TV provides the community with the ability to learn new information and acquire new skills. **G**overnment access TV provides the community with “a window into government” through unedited coverage of local government meetings, speeches, elections, public affairs events, etc.

YCTV is part of the City of Yakima’s Community Relations Division, which is responsible for internal and external communications for the City. The division also operates Y-PAC, Yakima’s government access channel. Educational access TV is provided in the Yakima area by the students from the Yakima Valley Technical Skills Center’s video production class.

YCTV offers a tremendous opportunity for you to creatively contribute to the Yakima community. With that tremendous opportunity comes responsibility. YCTV is unique among media in that its management does not control the content of programs aired on the channel. That control is in the hands of each community producer or sponsor who submits a program to air on YCTV. The opportunity that you have to use YCTV to communicate with our community is accompanied by the responsibility of using YCTV conscientiously.

This handbook will help you understand the nuts and bolts of what YCTV is and how you can use it to share information with your family, friends and neighbors. But the best way to understand what YCTV is, is to use it. We look forward to you becoming an active community producer and a part of YCTV, The Peoples’ Channel!

The staff of the City of Yakima’s Community Relations Division

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Section 1 – History and Overview of YCTV

1.1 A Brief History of YCTV

In the mid to late 1970's, the fledgling cable TV industry began to expand from large metropolitan cities to smaller cities and to more rural areas. When cable companies began to show interest in coming to Yakima, the community was not initially ready to welcome cable TV with open arms. Concerns about "inappropriate" programming on cable led to Yakima voters twice rejecting approval of a cable TV "franchise."

A franchise is a contract that allows use of public rights-of-way for a private purpose. Phone companies, water providers, natural gas companies, electricity providers and other utilities use public rights-of-way, like streets, alleys, sidewalks, etc., to deliver a product or service. Some utilities use wires hung from poles located in public rights-of-way to deliver their product or service. Others put pipes underground in the public rights-of-way to deliver their product or service. In order to use public rights-of-way, a user must be granted a contract, a franchise. In Washington State, most franchises (with a few exceptions) must be approved by a vote of the people. That is true of cable franchises.

In 1978, Yakima voters approved a franchise with Cox Cablevision, Inc. It took about a year and a half for Cox to run all of the cables and install all of the other equipment necessary to operate a cable TV system. The first cable customers in Yakima could choose the "basic" cable package with 12 channels for \$5.95 per month, or the "expanded basic" cable package with 35 channels for \$7.95 per month.

As part of the compensation for use of public rights-of-way, Cox had to provide a public access channel. The City of Yakima, as the administrator of the franchise, began the process of setting up and operating the public access channel. That channel became YCTV (Yakima Community Television) and first began airing on channel 36 in 1983. The first YCTV "facility" consisted of a 10-foot by 20-foot room at what was then the Yakima Valley Vocational Skills Center.

In the mid 1980's, YCTV moved to a building near the corner of 24th Avenue and Nob Hill Blvd. That building included office space, a 20-foot by 20-foot studio, two editing bays and a tiny equipment room. By that time, YCTV had provided community producer training to more than 750 people.

In 1989, YCTV began providing gavel-to-gavel coverage of Yakima City Council meetings. That led to the birth of Y-PAC, Yakima's government

access channel, in 1992. Initially, Y-PAC shared channel space with YCTV on channel 9 on the Upper Yakima Valley cable system.

By the late -1990's, YCTV and Y-PAC had outgrown the building that had served as their home for more than a decade. After a brief stay in an old City fire station, YCTV and Y-PAC moved to their current location in 1998. The building that YCTV and Y-PAC now call home has over 6200 square feet including office space, a large equipment room, a conference/training room, 4 edit bays, a 30-foot by 40-foot studio, and a smaller 20-foot by 20-foot studio.

Today, YCTV programming can be found on channel 21 and Y-PAC programming can be found on channel 22 on the Charter Communications system which stretches from Selah to Prosser.

To date, more than 2500 people have been trained as YCTV community producers. YCTV community producers create an average of 150 new programs each year. Additionally, people in the community "sponsor" an average of 200 "imported" programs that air on YCTV each year.

The people who have used YCTV over the years are many and varied. From senior citizens to grade school children, from heavy metal musicians to quilt makers, people from all walks of life have contributed to the rich history of YCTV.

Since it first went on the air in 1983, YCTV has become an integral part of the Yakima community and continues to provide each and every person who lives here with the tremendous opportunity to share their thoughts, interests, ideas and creativity through YCTV, "The Peoples' Channel."

1.2 Who Can Use YCTV?

Literally anyone can use YCTV to either create their own TV shows or to air shows created elsewhere. People who live within the boundaries of the City of Yakima can take any of the YCTV training classes (see Sections 3.1-3.4), use YCTV equipment (see Section 4), or "sponsor" a program on YCTV (see Section 5.2) free of charge. People who live outside the City can still access all of the YCTV services and equipment for a nominal fee (see Section 2.3).

1.3 How Is YCTV Funded?

The local cable operator pays a "franchise fee" as a form of rent or lease payment for use of the public rights-of-way. Under the existing franchise, the cable operator pays the City the equivalent of 5% of the cable operator's revenue each month.

Since the first cable franchise was granted in 1978, 100% of the money generated by the franchise fee has gone to support the City's Community Relations Division and its predecessors. In addition to providing public access TV services through YCTV, the Community Relations Division also operates Y-PAC, administers cable and telecommunications franchises, and is responsible for all internal and external communications activities of the City including media relations, communications training, assistance to other City departments and PR services.

1.4 Management and Staffing

The **Community Relations Manager** oversees all operations of the Community Relations Division including operation of YCTV, operation of Y-PAC, communications services, personnel, policy, budgeting and other administrative functions.

The **Cable Television Coordinator** oversees day-to-day operations of YCTV and Y-PAC, serves as the division's purchasing agent, coordinates general staff activities, schedules programming on YCTV and Y-PAC, and is the acting division manager when the Community Relations Manager is not available.

The **Community Programming Coordinator** is the primary trainer of YCTV community producers, provides the majority of assistance to community producers, and is the main contact person for community producers.

The **Municipal Producer** is one of two staff members primarily assigned to creating programming for Y-PAC. While occasionally available to provide assistance to community producers, the Municipal Producer's first priority is to gather and produce Y-PAC programming.

The **Community Programming Assistant** is the second staff member assigned to creating programming for Y-PAC. The Community Programming Assistant may also occasionally assist community producers, the Community Programming Assistant's first priority is to gather and produce Y-PAC programming.

Section 2 – General User Guidelines

2.1 Non-Discrimination Policy

No individual will be denied access to any YCTV equipment, facilities, or channel time on the basis of race, gender, sexual orientation, age, physical disability, religious or political belief, or the nature of their programming interests.

2.2 Residents

Users living within the boundaries of the City of Yakima, or users with a business address within the boundaries of the City of Yakima, are eligible to use YCTV training, equipment and facilities for production of programming to be shown on YCTV without charge.

2.3 Non-Residents

Users living outside the boundaries of the City of Yakima, or users with a business address outside of the boundaries of the City of Yakima, are considered "non-residents". Non-residents will be assessed an annual fee for the use of YCTV training, equipment and facilities for production of programming to be shown on the channel(s) as detailed in subsection 2.3.1.

2.3.1 Non-Resident User Fee

Users who are not residents of the City of Yakima will be charged a \$20 annual fee which must be paid prior to participation in a training class and/or use of any YCTV equipment or facilities. The non-resident user fee does not represent a commercial fee/charge schedule and cannot be used as justification by a user to produce programming that is commercial in nature.

2.4 Minors

Any person under the age of eighteen (18) who wants to use YCTV facilities and equipment must meet the following conditions:

- 1) A parent or legal guardian must sign a consent agreement when said minor requests training;
- 2) A parent or legal guardian must sign a financial/legal responsibility statement when said minor requests the use of YCTV production facilities and equipment.
- 3) A parent or legal guardian must sign an indemnification agreement in accordance with Section 5.4, Program Liability when said minor requests that programming be scheduled on YCTV.

Section 3 – Training and Certification Requirements

3.1 Orientation Class

A mandatory orientation class is required to be completed before an individual may sign up for any other training class, or check out or have use of any YCTV equipment. The orientation class is designed to ensure that everyone understands her/his rights and responsibilities as a YCTV community producer.

Upon completion of the orientation class, a producer receives her/his “certification” to use YCTV facilities and equipment. However, it is strongly recommended that YCTV community producers attend one or more of the applicable training classes listed in Sections 3.2 and 3.3 before using any YCTV facilities or equipment.

Orientation classes are offered on an as-needed basis and are scheduled and conducted by the Community Programming Coordinator. Every effort will be made to schedule orientation classes to accommodate class attendees.

3.2 Basic Camcorder Operation Class

The basic camcorder operation class is designed to introduce the novice videographer to the functions of a camcorder. Set up, use of a tripod, camcorder capabilities, and simple composition are among the subjects covered during the class.

Basic camcorder operation classes are offered on an as-needed basis and are scheduled and conducted by the Community Programming Coordinator. Every effort will be made to schedule basic camcorder classes to accommodate class attendees.

3.3 Basic Editing Class

The basic editing class is designed to introduce the novice editor to the functions of one or more editing systems. Understanding simple editing concepts, creation and use of graphics, video and audio quality norms, and editing system use policies and procedures are among the subjects covered during the class.

Basic editing operation classes are offered on an as-needed basis and are scheduled and conducted by the Community Programming Coordinator. Every effort will be made to schedule basic editing classes to accommodate class attendees.

3.4 Additional Instruction

3.4.1 Advanced Instruction

Staff will provide advanced camera operation and editing instruction to certified community producers on an as-requested basis. Producers undertaking complicated productions should strongly consider completing additional instruction before beginning such a project.

3.4.2 Specialized Instruction

Staff will provide additional instruction to certified community producers in lighting, script writing, studio production, multi-camera field production, and other video production techniques on an as-requested basis.

3.4.3 Instruction By Video

Several production instruction videos are available to certified community producers to view at the YCTV/Y-PAC facility or to check out to take home. Instruction videos allow community producers to view them at their convenience and to acquire additional skills.

Production instruction videos are checked out by the Community Programming Coordinator.

Section 4 – Use of YCTV Facilities and Equipment

4.1 Commercial/Personal Use Prohibited

YCTV facilities and equipment are intended to be used to produce programming for YCTV. Other uses are strictly prohibited. Violation of this policy will lead to temporary suspension of user privileges or permanent revocation of user privileges.

4.1.1 Commercial Use Prohibited

No YCTV facilities or equipment may be used for “commercial” purposes as described in Section 5.3 and Section 7.4. In general, “commercial” purposes include use of YCTV equipment which results in any person receiving monetary gain from such use. As an example, a community producer is prohibited from using YCTV equipment and facilities and getting paid by anyone for production services or for a final video product.

For additional explanation of prohibited “commercial” uses, see Section 5.3 and Section 7.4.

4.1.2 Personal Use Prohibited

No YCTV facilities or equipment may be used for “personal” use by a community producer. Examples of prohibited “personal” use include taping of a wedding, performance, sporting event or any other activity by a community producer without intending to air on YCTV a final version of whatever was taped.

YCTV facilities and equipment are not intended to be a substitute for facilities and equipment personally owned by individuals. YCTV equipment and facilities are made available to community producers to provide programming for YCTV and not for any other purpose.

4.2 Pre-Production Plan Required

Community producers must fill out a Pre-Production Plan and have it signed by a staff member **before** any equipment is checked out or facilities are used. All productions must have a corresponding Pre-Production Plan on file.

Producers are encouraged to seek assistance from staff during the pre-production planning stage of a project. Because of YCTV's philosophy of teaching individual community members to use communication tools to independently reflect their ideas, **staff will not produce your program for you**. Staff will gladly provide suggestions on technique, equipment, and production planning that can help to ensure a successful project, but staff will not fill the role of producer, editor, technical director, etc.

4.3 First-Come, First-Served

YCTV production facilities and equipment are made available on a first-come, first-served basis to certified community producers to create programming for YCTV. Only certified community producers may reserve and use production facilities and equipment.

4.4 Re-Wiring or Reconfiguration Prohibited

Community producers are prohibited from attempting to rewire or in anyway reconfigure YCTV production components. If a producer believes she/he cannot reasonably accomplish a production task that was not designed into the YCTV facilities and/or equipment, he/she should consult with a staff member.

Additionally, community producers are prohibited from attempting to repair malfunctioning equipment without advise of staff.

4.5 Adherence To Facility Hours

Checking out or checking in of portable equipment, editing sessions, studio productions (including set-up and cleanup), and all other uses of YCTV equipment and facilities must be completed within the following guidelines:

4.5.1 Portable Equipment Check-Out/Check-In Hours

Portable equipment will be checked out or checked in not later than thirty (30) minutes prior to the close of the YCTV facility.

4.5.2 Edit Bay Hours

Users of YCTV edit bays must be prepared to conclude editing, including any necessary clean up and/or filing of work stock or program master stock, on any given day not less ten (10) minutes prior to the close of the YCTV facility.

4.5.3 Studio Hours

Users of YCTV studios must be prepared to conclude use of studios, including any necessary clean up and/or filing of work stock or program master stock, on any given day not less ten (10) minutes prior to the close of the YCTV facility.

4.5.4 Reservation Cancellation

Reservation cancellation for portable equipment, edit bay use, and/or studio use must occur not less than 48 hours prior to the date on which equipment, edit bays or studios were scheduled for use. By doing so, equipment and facilities may be made available for use by others.

Community producers who consistently check-out or check-in portable equipment late, violate edit bay and studio use rules as described in Sections 4.6, 4.7 and 4.8, fail to cancel reservations, or violate any other YCTV policy will be subject to temporary suspension of user privileges or permanent revocation of user privileges.

4.6 Portable Equipment User Agreement

Before checking out any portable equipment (camcorders, microphones, lighting equipment, etc.), certified producers must sign an equipment use agreement understanding that they will reimburse YCTV for repair or replacement of any equipment that is damaged, lost, or stolen while in their possession.

Portable equipment will only be checked out to certified YCTV community producers. Equipment will not be checked out in a certified producer's name by "friends," "family," etc.

YCTV requires that any and all portable equipment is used only by a certified producer. However, the certified producer who signs for the equipment is still responsible no matter who uses it. If the certified producer is under age 18, a parent or legal guardian must sign the appropriate equipment user agreement.

Portable equipment may be reserved for up to 48 hours at a time during the week or 72 hours over a weekend. Longer reservation times may be arranged for with permission of the Community Relations Manager or the Cable Television Coordinator depending on the availability of equipment. Portable equipment reservations can be made up to 30 days in advance on a first-come, first-served basis.

4.7 Edit Bay Use

Only certified community producers may use YCTV edit bays. A single producer may schedule use of edit bays for a maximum of 4 hours per day and a maximum of 2 days per week.

If edit bay time above the allotted 4 hours per day, 2 days per week per producer is available, an individual producer may be allowed to exceed her/his maximum edit bay use limit at the discretion of YCTV staff. However, producers not having reached their maximum allotted edit bay time will be given priority for any available edit bay time.

Edit bay reservations can be made up to 30 days in advance on a first-come, first-served basis.

4.8 Studio Use

Only certified community producers may use YCTV studios. Before using a studio, a community producer must schedule time with the Community Programming Coordinator to receive basic orientation to studio operation.

Only certified community producers will be allowed to operate any and all studio equipment (switcher, cameras, lights, etc.).

Community producers must provide all necessary studio production personnel. YCTV staff will not substitute for studio production personnel.

Studio reservations can be made up to 30 days in advance on a first come, first served basis.

4.9 Work Stock

Community producers should use work stock (tape, disc, etc.) supplied by YCTV during the initial phases of a project. Producers are discouraged from using work stock they personally own due to the difficulty of staff to ensure equipment is being used for authorized purposes.

Before YCTV-provided work stock can be checked out, a corresponding Pre-Production Plan must be on file.

Work stock must be released and cleared when the producer's project is either completed or abandoned. YCTV-supplied work stock assigned to producers will be held for a maximum of 3 months from the date it was assigned before it is recycled for use by other producers. Special arrangements may be made for long-term projects.

4.10 Program Masters

YCTV will supply numbered program master stock on which a producer's final, edited program will be recorded and stored. Program masters become part of the YCTV library, are the property of the City of Yakima Community Relations Division, and are retained within the YCTV/Y-PAC facility.

A producer owns the copyright to a final program. However, YCTV maintains ownership of the program master.

Uncompleted program masters will be held for a maximum of 12 months from the date they were assigned before they are recycled for use by other producers. Special arrangements may be made for long-term projects.

4.11 Program Master Copies

Community producers are entitled to one (1) copy, or "dub," of their program master, free of charge. Before a program master copy is made, a producer must complete and sign a "Dub Request Form" agreeing to the conditions of use of said dub. Additional dubs may be obtained by the producer by paying a dubbing fee of \$15 per hour, or any portion thereof, for the first hour and \$15 per hour, or any portion thereof, for additional hours.

Copies of program masters may be obtained by anyone (viewers, family members, friends, etc.) other than a community producer by filling out and signing a "Third Party Release Agreement" agreeing to the conditions of use of said dub and obtaining the permission of the producer. A dubbing fee of \$20 per hour, or any portion thereof, for the first hour and

\$15 per hour, or any portion thereof, for additional hours, per copy applies to all program master copies.

Only copies of completed program masters will be made. Copies of work stock or uncompleted program masters is prohibited.

Duplication of programs not produced at YCTV is prohibited.

All dubbing will be done by staff as time is available.

YCTV reserves the right to adjust equipment use policies based upon user demand and the general technical condition of our production equipment.

Section 5 – Programming and Channel Use Policies

5.1 Programs Produced Using YCTV Facilities and Equipment

Programs produced using YCTV facilities and equipment are limited in use to being cablecast on YCTV. This policy is enforced in order to acknowledge and preserve YCTV's status as a publicly-funded production facility available for use by community members.

However, some limited additional use of programs produced using YCTV equipment and facilities may be allowed if:

- 1) The program has already aired on YCTV; and,
- 2) Such use will not result in monetary gain for anyone; and,
- 3) Approval for such use has been granted by the Community Relations Manager; and,
- 4) YCTV and the community producer are given credit for the production.

No use, other than the original cablecast, repeat cablecasts and in-house viewing, may be made of the whole or any part of a program retained in the YCTV library without the producer's consent. YCTV may request from the community producer that a program be used for promotional purposes or distribution to other access centers.

5.2 Imported Programs

Programs produced using facilities and equipment other than those available through YCTV are considered to be **"imported"** programs. Any adult living within the service area of the Charter Cable Upper Yakima Valley System may request that an "imported" program be aired on YCTV if that adult is willing to assume the role of program **"sponsor."**

A "sponsor" must complete and sign an Imported Programming Request form and, by doing so, accept all responsibility for the content of the "imported" program requested to be aired on YCTV as described in Section 5.4.

5.3 Program Content

Public access programming is protected under the 1st Amendment to the United States Constitution and YCTV encourages community producers to exercise responsible expression of these protected rights. Community producers and/or sponsors are solely responsible and legally accountable for the content of their programs and, as such, may be subject to prosecution for the cablecast of illegal material.

The following is prohibited from being cablecast on YCTV:

- 1) Lotteries or contests that directly or indirectly involve the elements of a prize, chance, and/or consideration;
- 2) Material which would subject the community producer or sponsor to prosecution under any applicable local, state, or federal law for production and/or cablecasting of obscene material; slander; libel; invasion of privacy; violation of publicity rights; or violation of trademark or copyright;
- 3) Commercial programming. Commercial programming means any programming which, in whole or in part, depicts, demonstrates, or discusses products, services, or businesses with the intent or substantial effect of benefiting or enhancing a profit-making enterprise; and
- 4) Direct solicitation of funds. Community producers or sponsors may offer information on fundraising activities and how viewers may request additional information on the topic or organization featured but may not ask viewers directly for financial contributions.

If, after its initial cablecast, a program is found to not conform to or to violate any of these standards, it will immediately be removed from the YCTV programming schedule and the community producer or sponsor may be subject to temporary suspension of user privileges or permanent revocation of user privileges in accordance with Section 6.3.

5.4 Program Liability

All community producers or sponsors presenting programming for cablecast shall have signed a YCTV Producer Liability/Indemnification Agreement agreeing, as a precondition of the cablecast, to defend, indemnify and hold harmless YCTV, its employees and its agents from all

loss, liability and damage arising out of or caused by the cablecast of the producer's or sponsor's program.

Programming will be cablecast on YCTV only after the community producer or sponsor submitting the programming has signed a Program Completion form or Imported Programming Request form containing the following information:

- 1) The name of the community producer or sponsor and acknowledgment that the same will be contained in the credits of the program or immediately adjacent to the program;
- 2) The program title, source, and exact length;
- 3) Confirmation that the community producer or sponsor has previewed the program or, while still assuming full responsibility for the contents of the program, acknowledges that he/she has had a preview done by his/her agent;
- 4) A statement of the community producer or sponsor assuring that, to the best of his/her knowledge, cablecast of the program does not violate any and all applicable local, state, and/or federal law;
- 5) A statement of the community producer or sponsor that he/she will comply with Section 5.3 concerning program content and Section 5.5 regarding the warning message.
- 6) A statement of the community producer or sponsor that he/she will comply with all rules and procedures of YCTV.

5.5 "Flagging" of Programs

As stated in Section 5.4, community producers and sponsors are responsible for the content of their programs and should be sensitive to the viewing audience. For example, programs containing violence, nudity, profanity, or adult themes may not be suitable for "sensitive viewers" such as children.

A community producer or sponsor is responsible for noting on the Program Completion form or Imported Programming Request form, and verbally notifying staff, that her/his program may not be suitable for all viewers. Programs that are identified as unsuitable for all viewers will be preceded by a spoken and written "flag" warning message that states:

"The following program contains situations, material, and/or language which may be offensive to some viewers or may be inappropriate for viewing by children."

The written message will appear for at least 10 seconds at the beginning of the program. It is the responsibility of the producer or sponsor to assure that this warning message is included preceding cablecast of the program.

Failure to note on the Program Completion form or the Imported Programming Request form that a program may not be suitable for all viewers may subject the community producer or sponsor to temporary suspension of user privileges or permanent revocation of user privileges.

5.5.1 "After Hours" Alternate Scheduling

Community producers and sponsors are strongly encouraged to request that a program not suitable for all audiences be aired as part of YCTV's "After Hours" schedule. YCTV's "After Hours" schedule airs on an as-requested basis between 11:00 pm and 6:00 am. Requesting that a program which may not be suitable for all audiences be aired during YCTV's "After Hours" schedule provides additional liability protection to community producers and sponsors and demonstrates responsible use of YCTV.

5.6 Technical Standards

In order to ensure high quality transmission, all programs requested for air on YCTV are reviewed for compliance with certain content-neutral technical standards. Programs are reviewed for compliance with the following standards prior to inclusion in the YCTV schedule.

- 1)** Programs produced using YCTV facilities and equipment must include 5 seconds of black prior to the start of the program, and the standard YCTV Open Billboard. The end of the program must include the standard YCTV Close Billboard, 10 seconds of black, 60 seconds of NTSC (National Television Standards Committee) calibration color bars, and a program identification slate.
- 2)** Programs submitted for air must be on 1/2" VHS or 1/2" S-VHS tape or a digital format compatible with YCTV equipment.
- 3)** Programs submitted on tape must run at standard play (SP) speed.
- 4)** Programs submitted on tape must have continuous, stable, unbroken control track. If the control track is broken or unstable for more than 10 consecutive seconds at any point throughout the entirety of a program, the tape will not air.
- 5)** Programs must have 7.5 IRE (Institute of Radio Engineers) units of video set up.
- 6)** The video level of all programs must be -40 IRE units of sync.
- 7)** Video levels may not exceed 100 IRE units for more than 10 consecutive seconds throughout the entirety of a program.

- 8) Video levels may not fall below 7.5 IRE units, as measured on a waveform monitor, for more than 10 consecutive seconds throughout the entirety of a program.
- 9) Audio levels may not exceed +1 decibels, as measured on a VU (Volume Units) meter, for more than 10 consecutive seconds throughout the entirety of a program.
- 10) Audio levels may not fall below -7 decibels, as measured on a VU meter, for more than 10 consecutive seconds throughout the entirety of a program.
- 11) Audio levels should average 85% modulation on a VU meter throughout a majority of the program.
- 12) Tape tail ends (for programs produced using YCTV facilities and equipment) must include the YCTV logo slate and 450 frames of black following the end of the program.
- 13) "Live" programs will be subject to standards 5 through 11. All replays of programs produced live will be subject to standards 1 through 13.

Programs failing to comply with these technical standards, unless clearly associated with deliberate artistic intent, can be refused from inclusion in the YCTV programming schedule. Determination of compliance with these standards is at the sole discretion of YCTV staff.

5.7 Program Scheduling Priorities

Air time on YCTV is provided on a first-come, first-served basis. However, due to the limitations of available hours, priorities for scheduling programming on YCTV are as follows:

- 1) First-run program produced at or using YCTV equipment;
- 2) First-run of an "imported" program sponsored by an adult living in the Charter Cable Upper Yakima Valley system service area;
- 3) Rerun of a program produced at or using YCTV equipment;
- and,
- 4) Rerun of an "imported" program sponsored by an adult living in the Charter Cable Upper Yakima Valley system service area;

New programs will normally be scheduled to run on YCTV as soon as possible following completion, unless special arrangements are made with the Cable Television Coordinator. Reasons for special arrangements include a program being of a timely nature, the producer wanting to wait for a particular date to premier the program, or a program may be seasonal, such as a Christmas, Halloween or other holiday-specific program.

5.7.1 Programming Guarantee

Programs submitted for air on YCTV generally run throughout the course of a two-week schedule. However, YCTV only guarantees that every program submitted will air on YCTV one (1) time.

5.7.2 Programming "Time Slots"

Programs submitted for air on YCTV are scheduled on a first-come, first-served basis. Programming may also be subject to factors such as availability of air time, counter programming, requests by producers or sponsors, etc. No producer "owns" a time slot, but certain programs may be scheduled to air at particular times as described in Subsection 5.7.3.

5.7.3 Sunday Programming Schedule

Some time slots during the Sunday schedule are available for community producers and sponsors to request be allocated to a single program for an extended period of time. Such a request may be appropriate for a program whose viewers want to tune in to at a set time. A program produced on a weekly basis may also be appropriate for inclusion in the Sunday schedule. Or, a program of a "spiritual" nature may be a good candidate for the Sunday schedule.

All Sunday programming schedule requests must be submitted to and approved by the Cable Television Coordinator.

5.8 YCTV "Video Bulletin Board"

The YCTV "Video Bulletin Board" displays public service announcements ("PSAs") throughout the YCTV program schedule. Use of the bulletin board is free and available to any not-for-profit organization or government agency. It may be used to announce meetings, events and activities open to the public. No ticket prices or direct solicitations for financial contributions are allowed. Commercial advertisements are prohibited.

Messages for inclusion on the YCTV "Video Bulletin Board" must be submitted to and approved by the Cable Television Coordinator.

Section 6 – Prohibited Conduct and Enforcement

6.1 Purposes of Conduct and Enforcement Policies

YCTV provides training, facilities and equipment to anyone wishing to produce or sponsor programming to be aired on YCTV. However, YCTV is

under no legal obligation to provide access to its training, facilities or equipment. Access to YCTV training, facilities and equipment is a privilege provided by the City of Yakima through its Community Relations Division and is not a right guaranteed by any local, state or federal law, statute, rule or other applicable regulation or legislation.

In order to ensure appropriate access to and use of YCTV training, facilities and equipment, Community Relations Division staff, at the direction of the Community Relations Manager, can refuse service on a temporary basis or otherwise initiate disciplinary or legal actions against individuals or organizations interfering with or jeopardizing YCTV operations, or otherwise violating the policies and procedures described in this handbook.

6.2 Prohibited Conduct

A person(s) exhibiting any of the following prohibited conduct is subject to immediate removal from the Community Relations Division's premises and will not be allowed to return until completion of the disciplinary process, as described in Section 6.3, AND until return of such person(s) is approved by the Community Relations Manager:

6.2.1 Interference With Operations

Interference with other YCTV users or division staff in the performance of the division's operations, as determined by Community Relations Division staff, is prohibited.

6.2.2 Immediate Danger to YCTV Facilities or Other Person(s)

Placing in immediate danger YCTV/Y-PAC facilities or the person(s) or property of others, as determined by Community Relations Division staff, is prohibited.

6.2.3 Physical Assault/Abusive Behavior

Physically assaulting or otherwise behaving in an abusive manner toward division staff or others on the division's premises, as determined by Community Relations Division staff, is prohibited. In addition to being subject to the disciplinary process described in Section 6.3, violators of this policy are subject to arrest and criminal prosecution.

6.2.4 Possession/Use of a Weapon

Possession and/or use of a weapon on Community Relations Division premises is prohibited. In addition to being subject to the disciplinary process described in Section 6.3, violators of this policy are subject to arrest and criminal prosecution.

6.2.5 Slander/Libel/Defamation

Verbal (slander) and/or written/broadcast (libel) defamation of Community Relations Division, or others on the division's staff, is prohibited. Repeated defamation, as determined by the Community Relations Manager, will be just cause for immediate suspension of community producer privileges. In addition to being subject to the disciplinary process described in Section 6.3, violators of this policy are subject to arrest and criminal prosecution.

6.2.6 Theft/Damage/Vandalism

Theft, vandalism, or willful damage of YCTV equipment and/or facilities is prohibited. In addition to being subject to the disciplinary process described in Section 6.3, violators of this policy are subject to arrest and criminal prosecution.

6.2.7 False Representation - Identification

False representation by a community producer of himself/herself as a Community Relations Division employee, a YCTV employee, or as a representative or agent of the division or YCTV, is strictly prohibited. At all times when using YCTV equipment or facilities, community producers must identify themselves as independent producers and not as employees, representatives or agents of the division or YCTV.

6.2.8 False Representation - Documentation

Falsification of legal agreements and/or requirements for use of YCTV equipment and facilities is prohibited.

6.2.9 Possession/Consumption of Alcoholic Beverages

Possession of and/or consumption of any alcoholic beverage on Community Relations Division premises is prohibited. Any person(s) appearing to be intoxicated will immediately be removed from the Community Relations Division premises and will be subject to the disciplinary process as described in Section 6.3.

6.2.10 Possession/Consumption of Controlled/Illegal Substances

Possession and/or consumption of any controlled or otherwise illegal substances on Community Relations Division premises is prohibited. Any person(s) appearing to be under the influence of a controlled/illegal substance will immediately be removed from the Community Relations Division premises and will be subject to the disciplinary process described in

Section 6.3. Additionally, violators of this policy are subject to arrest and criminal prosecution.

6.2.11 Smoking

Smoking on Community Relations Division premises, or within 35 feet of the entrance to the premises, is prohibited.

6.2.12 Unauthorized Use of Facilities/Equipment

Use of YCTV facilities or equipment for commercial (as described in Subsection 4.1.1), personal (as described in Section 4.1.2), or any purpose other than those permitted herein, is prohibited.

6.2.13 Unauthorized Duplication

Unauthorized duplication of work stock, program masters, or any other footage gathered using YCTV facilities and equipment, on or off the Community Relations Division premises, is prohibited.

6.2.14 Copyright Infringement

Unauthorized use of the copyright material of another community producer, Community Relations Division staff member, or any other person(s) is prohibited. In addition to being subject to the disciplinary process described in Section 6.3, violators of this policy are subject to arrest and criminal prosecution.

6.2.15 All Other Rules/Policies/Procedures

Violation of any other rule, policy or procedure not specifically listed in Section 6.2 is prohibited.

6.3 Disciplinary Action

When the Community Relations Manager determines that there has been an apparent violation of any rule(s), policy(ies), or procedure(s) contained herein, he/she has the authority to:

- 1) Immediately suspend community producer privileges of the person(s) alleged to have violated any rule(s), policy(ies) and/or procedure(s) contained herein. A written violation/suspension notice will be personally served or mailed to the person(s) whose actions are being reviewed within two (2) calendar days of the date of the suspension;
- 2) Immediately suspend cablecast of a program that violates Section 5.3, provided, however, that the Community Relations

Division will seek a judicial determination when the program appears to violate Section 5.3 (2). A cablecast suspension for violation of Section 5.3 (2) will not exceed 14 days without a judicial determination. A written violation/suspension notice will be personally served or mailed to the person(s) whose program(s) is being reviewed within two (2) calendar days of the date of the suspension;

3) For all other violations, mail or personally serve the person(s) whose actions or program is being reviewed with a written notification of the alleged violation and the Community Relations Manager's intended disciplinary action.

6.4 Request For Meeting With Community Relations Manager

The violation/suspension notice referred to in Section 6.3 shall advise the party(ies) alleged to have violated any rule(s), policy(ies) or procedure(s) stated herein that he/she may request a meeting with the Community Relations Manager to discuss disciplinary action taken by the Community Relations Manager. Such a request must be made within seven (7) calendar days of the date the notice is mailed or personally served, whichever is sooner.

6.5 Further Disciplinary Action

Following a meeting, as described in Section 6.4, or if no such meeting is requested within the allotted time, the Community Relations Manager may:

- 1) Continue the suspension of community producer privileges already in place;
- 2) Suspend community producer privileges indefinitely or for a specified time period;
- 3) Permanently revoke community producer privileges;
- 4) Suspend the cablecast of a program at issue indefinitely or for a specified time;
- 5) Take such other action that is fair, reasonable, and equitable, including any combination of these measures; or,
- 6) Take no further action.

A final disciplinary action decision notice specifying the disciplinary action taken by the Community Relations Manager shall be mailed to or personally served upon the party(ies) involved in the disciplinary action within two (2) calendar days of the final decision.

6.6 Appeal of Disciplinary Action

The decision of the Community Relations Manager to suspend or revoke community producer privileges, or any other disciplinary action taken by

the Community Relations Manager, may be appealed in writing to the City of Yakima Assistant City Manager (the immediate supervisor of the Community Relations Manager). An appeal must be delivered to the Assistant City Manager within fourteen (14) calendar days of the date of the Community Relations Manager's final disciplinary action decision notice was sent to the person(s) found to have violated any rule(s), policy(ies) or procedure(s) herein. Any supporting documentation regarding the appeal should be attached to such written appeal.

The Assistant City Manager shall schedule a meeting at which she/he will hear verbal testimony within fourteen (14) calendar days of receiving a written appeal. At such meeting, the Community Relations Manager, and the person(s) found to have violated any rule(s), policy(ies) or procedure(s) herein, may present witnesses and/or any relevant evidence related to the final disciplinary action and/or appeal of such action.

Within fourteen (14) days of such meeting, the Assistant City Manager shall issue a final disciplinary action appeal decision. In such a decision, the Assistant City Manager may:

- 1) Uphold the final disciplinary action decision of the Community Relations Manager;
- 2) Modify the final disciplinary action decision of the Community Relations Manager;
- 3) Overturn the final disciplinary action decision of the Community Relations Manager and reinstate the community producer privileges of the appellant;
- 4) Lift or modify the suspension of cablecast of the program at issue;
- 5) Take such other action that is fair, reasonable, and equitable, including any combination of these measures.

A notice of such a final disciplinary action appeal decision shall be mailed to or personally served upon the party(ies) involved in the disciplinary action appeal within two (2) calendar days of the final decision.

Message From The Community Relations Manager

The rules, policies and procedures in this handbook are designed to provide the greatest opportunity to greatest number of community members to make use of YCTV. Acknowledging that no system is perfect, these rules, polices and procedures may be modified or otherwise amended as situations warrant.

The primary goal of the Community Relations Division staff is to help community members listen to and talk to each other better. YCTV provides a wonderful way for you to share your thoughts, ideas, interests and creativity with your friends, family and neighbors.

I know that you will enjoy the time you invest in making good use of public access TV. Best wishes and welcome to YCTV, "The Peoples' Channel."

*Randy Beehler
Community Relations Manager
City of Yakima*

Section 7 – Definitions

7.1 “Community Relations Division”

The City of Yakima “Community Relations Division” is a part of the City of Yakima Administration Department and is responsible for all internal and external communications functions of the City including operation of YCTV, operation of Y-PAC, media relations, communications training and providing communications assistance to other City divisions and departments.

7.2 “Certified Producer”

A “certified producer” is anyone who has successfully completed YCTV training and/or has demonstrated to YCTV staff a sufficient working knowledge of the YCTV facilities and equipment.

7.3 “Charter Communications”

“Charter Communications” is the current, franchised provider of cable service in the City of Yakima and throughout most of the Yakima Valley.

7.4 “Commercial Programming”

“Commercial programming” is any programming which, in whole or in part, depicts, demonstrates, or discusses products, services or businesses with the intent or substantial effect of benefiting or enhancing a profit-making enterprise.

7.5 “Copyright”

“Copyright” is the legal term for the exclusive right of the creator to reproduce, alter, perform, display, lend or allow other use of her/his creation. As applied to YCTV programs, community producers “own” the completed version of a program produced using YCTV facilities and equipment and retain authority over how the program is copied, distributed or otherwise used. Unauthorized use of copyrighted products, such as music, television programs, movies, internet content, etc., is prohibited and may subject the unauthorized user to arrest and prosecution.

7.6 “Equipment”

“Equipment” refers to any and all video, audio, computer or other equipment available for the production of community access programming and owned and/or controlled by the Community Relations Division.

7.7 “Facilities”

“Facilities” refers to the building and parking lot, channel(s) on the cable system, and other property directly related to and/or not directly related to the production of access programming owned and/or under controlled by the Community Relations Division.

7.8 “Franchise”

A cable communications system “franchise” is a contract between the cable operator and the City which allows the cable operator to use public rights-of-way to deliver its service to customers. The “franchise” sets the terms and conditions for use of public rights-of-way by the cable operator, forms of compensation provided by the cable operator for use of public rights-of-way, and other operational rules, policies and procedures.

7.9 “Franchise Fee”

The local cable operator pays a “franchise fee” as a form of rent or lease payment for use of the public rights-of-way. Under the existing franchise, the cable operator pays the City the equivalent of 5% of the cable operator’s revenue each month. In Yakima, “franchise fee” revenue is exclusively used to support the activities of the Community Relations Division.

7.10 “Imported Program”

An imported program is any program produced using facilities and equipment other than those available through YCTV.

7.11 “Libel”

“Libel” is the legal term for written and/or broadcast speech which defames or otherwise damages the person who is the subject of the libelous speech.

7.12 “Non-Resident”

A “non-resident” is anyone living outside of or having a business address outside of the boundaries of the City of Yakima.

7.13 “PEG Access Television”

“PEG” is an acronym for Public, Educational and Government access television. “PEG” channels on a cable TV system are set aside for non-commercial use by the public, educational institutions and governmental entities. Provision of “PEG” channels is one form of compensation provided by cable operators in exchange for use of public rights-of-way.

7.14 “Producer”

“Producer” means any user who organizes and prepares, or otherwise causes to be cablecast, a program or program series.

7.15 “Program”

“Program” means any material intended for cablecast.

7.16 “Program Master”

A “program master” is the completed version of a program produced using YCTV facilities and/or equipment. The “program master” is filed in the YCTV library and is owned by the Community Relations Division. The producer retains the copyright of the program.

7.17 “Programming”

“Programming” refers to any material submitted for cablecast on YCTV.

7.18 “Resident”

A “resident” is anyone living within or having a business address within the boundaries of the City of Yakima.

7.19 “Slander”

“Slander” is the legal term for verbal speech which defames or otherwise damages the person who is the subject of the slanderous speech.

7.20 “Sponsor”

A “sponsor” is anyone who submits “imported” programming to YCTV for cablecast and, therefore, accepts complete responsibility for such programming.

7.21 “Stock”

“Stock” refers to video tape, DVDs or other video formats used in the production of a program.

7.22 “User”

A “user” is anyone who (a) uses YCTV facilities and/or equipment; (b) checks out YCTV equipment; (c) signs a YCTV Producer Liability/Indemnification Agreement; or (d) presents programming to YCTV for cablecast over YCTV channel.

7.23 “YCTV”

“YCTV” (Yakima Community Television) is Yakima’s public access cable TV channel operated by the City of Yakima Community Relations

Division. "YCTV" provides community members the opportunity to use the powerful and pervasive medium of cable TV to share their thoughts, ideas, interests and creativity with family, friends and neighbors by producing non-commercial programming using YCTV facilities and equipment and/or by sponsoring "imported" programs for airing on YCTV.

7.24 "Y-PAC"

"Y-PAC" (Yakima Public Affairs Channel) is Yakima's government access cable TV channel operated by the City of Yakima Community Relations Division. Through un-edited coverage of government meetings, speeches, elections, and other public affairs events, "Y-PAC" provides viewers with the opportunity to interpret important issues and events for themselves and serves to increase understanding of and public participation in the democratic process.