

**REVISED RULES AND REGULATIONS FOR
MOON COMMUNITY ACCESS TELEVISION**

SECTION 1: MISSION STATEMENT

Moon Community Access Television (“MCATV”) is a center for the production and distribution of public access, educational, and governmental programming over the cable system serving Moon Township. The goal of MCATV is to use electronic media to foster and maintain a sense of community in the Township. MCATV strives to contribute to an informed citizenry by providing public access programming, responding to community needs, addressing local government issues, and helping bring education into the home. MCATV takes pride in providing diverse perspectives and a local voice for Moon Township.

MCATV aspires to operate a video production and distribution studio in the most efficient and equitable manner. MCATV is dedicated to providing equal access to all Moon Township residents, regardless of race, age, gender, political persuasion, religion or economic status. Its employees and volunteers work hard to provide high quality, non-commercial television programming.

**SECTION 2: PUBLIC ACCESS, EDUCATIONAL, AND GOVERNMENTAL
PROGRAMMING**

Governmental programming shall be produced and managed by MCATV in accordance with the requirements contained in Section 3 below. Educational programming shall be produced by local schools, by MCATV in conjunction with local schools, or by third parties in conjunction with MCATV in accordance with the requirements contained in Section 4 below. Public access programming shall be supervised by MCATV, but shall be produced and managed by volunteer community producers in accordance with the requirements contained in Section 5 below. All legal rights to programming cablecast on the public, educational, and governmental (“PEG”) channel reside solely and exclusively with MCATV. Any and all videotapes, audiotapes, or other original tangible depictions of programming on the PEG channel are the sole and exclusive property of MCATV. Programming on the PEG channel shall not be commercial in nature. For purposes of this Section, the term “commercial programming” shall mean the placement of advertisements or other solicitations designed to promote the sale of specific products or services by for-profit corporations, partnerships, or other business entities.

SECTION 3: GOVERNMENTAL PROGRAMMING

The term “governmental programming” shall mean programming that informs the public regarding federal, state, and local government projects, community activities, and public policy decisions that affect Moon Township. In order to be deemed “governmental programming”, a specific program to be produced and/or cablecast on the PEG Channel must have the majority support of the Moon Township Board of

Supervisors. All governmental programming shall be produced and/or managed by MCATV.

SECTION 4: EDUCATIONAL PROGRAMMING

The term “educational programming” shall mean programming related to public, private, and parochial schools located in Moon Township, including, but not limited to, school activities, public policy meetings, and athletic contests, and programming that contains educational or informational value. The legal responsibilities between the Township and the Moon Area School District (“School District”) with respect to the PEG Channel are contained in a separate Letter of Understanding dated _____. The operational responsibilities of MCATV and public, private, and parochial schools located in Moon Township with respect to educational programming on the PEG Channel shall be as follows:

- A. If the program is authorized by the school and does not require the use of MCATV Facilities, as defined below, then the school shall be fully and completely responsible for the production of the program. Upon request by the school, MCATV shall cablecast the program on the PEG Channel, subject to the MCATV Rules.
- B. If the program is authorized by the school and does require the use of MCATV Facilities, then the school and MCATV shall be jointly responsible for the production of the program. The production team shall include MCATV staff and at least one (1) student volunteer from the

school. All student volunteers shall receive training and certification from MCATV staff. MCATV may assess a fee or fees for the use of its facilities. MCATV shall cablecast the program and the PEG Channel, subject to MCATV Rules.

- C. If the program is not a program authorized by a school and is educational in nature, MCATV shall cablecast the program on the PEG Channel, subject to MCATV Rules. Should the production of the program require the use of MCATV Facilities, then the relative production responsibilities shall be determined by MCATV staff. MCATV may assess a fee or fees for the use of its facilities.

For the purposes of this section, the term “MCATV Facilities” shall include, but not be limited to, the MCATV studio, MCATV production truck, video cameras, audio equipment, lighting devices, transmitter equipment, signal distribution cables, and any other ancillary equipment owned and/or managed by MCATV and used in the production of programming.

SECTION 5: PUBLIC ACCESS PROGRAMMING

The term “public access programming” shall mean programming that provides a forum for Moon Township residents and community organizations to communicate their views on a wide variety of public policy issues, engage in artistic or cultural expression, or contribute to the marketplace of ideas. Public access programming shall be supervised

by MCATV, but shall be produced and managed by volunteer community producers in accordance with the following requirements:

A. Eligibility to Become a Community Producer

To be eligible to become a community producer, a person must satisfy the following requirements:

- 1) Be a resident of Moon Township with proof of residency;
- 2) Be a volunteer who is trained and certified by MCATV; and
- 3) Be at least eighteen (18) years of age, or, if under eighteen (18) years of age, must be directly supervised by a parent or guardian, who shall assume all legal responsibilities for the community producer.

B. Production Process

The production process for public access programming consists of six (6) separate and distinct stages to be undertaken by each and every community producer. The stages are as follows:

1. Submit written program proposal to MCATV.
2. Obtain training and certification from MCATV staff.
3. Schedule time for use of MCATV studio and/or equipment.
4. Undertake production and post-production activities.
5. Receive technical review by MCATV staff.
6. Request scheduling of public access program.

C. Technical Training and Certification

For the safe and efficient operation of the MCATV studio, a minimum of four (4) trained and certified volunteers is required for studio production. Such volunteers shall include at least two (2) camera operators, one (1) technical director, and one (1) sound technician. For non-studio production, a minimum of one (1) trained and certified volunteer is required for each portable video camera. This includes one (1) video camera operator for each video camera. The community producer is responsible for recruiting and coordinating volunteers.

All volunteer training shall be conducted by MCATV staff under the guidance of the Executive Director of MCATV. Each community producer is responsible for coordinating the training of volunteers with the MCATV staff. Scheduling of training sessions shall be made by the MCATV staff. Volunteers who have received training and who are judged by MCATV to be competent in their field of training shall become certified. MCATV shall maintain a written active roster of certified volunteers.

D. Production

Community producers are responsible for all aspects of production of their public access programs. All community producers shall be granted equal access to MCATV facilities and the PEG channel, subject to reasonable and practical time, place and manner limitations. Prior to commencing production, the community producer must submit a written proposal to MCATV that contains a brief description of the program and the operational needs for the production of the program. The community producer is

responsible for scheduling studio time and/or removal of portable equipment with the MCATV staff. The producer is responsible for the conduct of his or her volunteers during production, whether production occurs in the studio or on location. No smoking is permitted in the MCATV studio. Upon completion of production, it is the community producer's responsibility to ensure that his or her name and contact information appear in the credits to the program. The community producer is prohibited from using the MCATV logo or name in its programming or on any written or electronic materials.

All pre-produced programs (i.e. programs produced outside MCATV studio without MCATV equipment) must satisfy the eligibility requirements described in Section 3A above. Community producers of pre-produced programs must include their names and contact information in the credits to the program. Pre-produced programs also must receive a technical review by MCATV staff prior to scheduling and cablecasting the program on the PEG channel.

E. Accountability

Community producers may receive monetary and/or in-kind contributions for the production of their programs subject to the following restrictions. Prior to receiving any such contributions, the community producer must obtain written approval from MCATV. Such contributions may only be used to defray the costs of program production. Community producers must inform their contributors in writing that they are using MCATV facilities and that such facilities, including production training, are available to the public at no cost to community producers. Upon completion of production of the

program, the community producer must present MCATV with a full accounting of all contributions. This accounting shall include a written itemization of all receipts and expenditures related to such contributions. The name, street address, web address, and/or phone number of each contributor may be included in a text message in the end credits of the program. Such text message shall not include advertising information such as slogans, logos, or solicitations to promote the sale of specific products or services.

F. Damage and Indemnification

1) All programming on the PEG channel shall be in accordance with applicable federal, state, and local laws and regulations. In consideration for the privilege of using equipment owned or managed by MCATV and/or producing certain programming to be cablecast to residents of Moon Township, community producers must agree to indemnify and hold harmless MCATV, Moon Township, and Comcast of Pennsylvania II, Inc., their elected and appointed officials, officers, agents and employees, and their successors and assigns, from any and all liability or other injury, including reasonable attorneys' fees and costs, arising from or in connection with claims for failure to comply with applicable federal, state, or local laws or regulations that result from any programming they have produced or recorded or the use of any equipment or facilities owned or managed by MCATV. Such claims include, but are not limited to, claims for libel, slander, invasion of privacy or the infringement of common law or statutory copyright; claims for unauthorized use of any trademark, trade name, or service mark; claims for breach of contractual or other obligations owing to third parties; claims for obscenity; and claims for any other injury or damage in law or equity.

2) Community producers are responsible for any and all damage or loss to any equipment or materials owned or managed by MCATV, whether such equipment or materials are being used by the community producer or his/her volunteers. All community producers must sign an Agreement and Release Form before commencing any production activities.

3) Community producers may remove certain portable equipment or materials from MCATV premises with the prior written permission of MCATV. The community producer assumes legal liability for such equipment or materials. The community producer must return the equipment or materials to MCATV on or before the stated return date or be subject to penalties described below. All community producers must sign a Sign Out and Release Form before removing any portable equipment or materials from MCATV premises.

SECTION 6: PROGRAM SCHEDULE

The schedule of programming on the PEG channel shall be the sole responsibility of MCATV. The scheduling of programming on the PEG Channel shall be subject to reasonable and practical time, place, and manner limitations, including the scheduling demands for other programming. All public access programs are limited to one (1) hour in duration. Programming schedules shall be publicized by MCATV in printed and electronic form on a periodic basis.

SECTION 7: SPONSORSHIPS

MCATV may solicit and/or accept donations for production and/or programming on the PEG Channel. Such donations may be in the form of monetary or in-kind contributions. MCATV may identify the sponsors of such donations with a brief video and/or audio recognition. Sponsors of public access programming produced by community producers shall be identified in a text message in the end credits of the program. Such text message may include the name, street address, web address, and/or phone number of the sponsor. Sponsorship indemnification shall not include advertising information such as slogans, logos, or solicitations to promote the sale of specific products or services. MCATV shall not accept sponsorships of governmental programming.

SECTION 8: COMMUNITY BULLETIN BOARD

MCATV shall offer a community bulletin board that provides alphanumeric or text-only messaging over the PEG channel. The purpose of the community bulletin board is to cablecast announcements of upcoming events, community reminders, and bulletins regarding community activities. The scheduling of messages on the community bulletin board shall be subject to reasonable and practical time, place, and manner limitations.

Any person or community organization may submit messages to the MCATV to be cablecast on the community bulletin board. MCATV may limit the size or length of such messages in order to provide equal access to all persons and non-profit organizations that wish to utilize the community bulletin board. MCATV shall not charge a fee for such messages to persons or non-profit organizations located in Moon

Township. All bulletin board messages that are not in the form of announcements of upcoming events shall include at least the name and the municipality of the person who submitted the message. The Executive Director of MCATV shall establish guidelines for the submission and cablecasting of messages on the community bulletin board.

SECTION 9: EQUAL ACCESS FOR POLITICAL CANDIDATES

Programming by a candidate for public office seeking support for his or her candidacy, programming that expressly endorses or opposes a candidate for public office, and programming that expressly endorses or opposes a referendum certified on the election ballot (collectively referred to as “political programming”) shall be treated the same as other public access programming. Producers of such programming shall be subject to the Community Procedure Requirements and Responsibilities contained in Section 3 above. Candidates for public office shall be granted equal public access to MCATV facilities and the PEG channel, subject to reasonable and practical time, place, and manner limitations. Due to program scheduling constraints, producers of political programming who wish to have their programming cablecast prior to election must provide the tape containing such programming to MCATV at least seven (7) days before election day. If a tape is provided to MCATV fewer than fourteen (14) days prior to election day, the title and programming times may not appear on the published program schedule.

SECTION 10: OBSCENE PROGRAMMING

MCATV shall prohibit the production of, and shall refuse to cablecast, any public, educational, or governmental programming that contains obscenity.

SECTION 11: FEES

MCATV shall not charge any fees for the training of volunteers or the production or cablecasting of public access programming. MCATV shall not charge any fees to persons or non-profit organizations located in Moon Township for the use of the community bulletin board. MCATV may charge certain fees for the production of programming other than public access programming that is cablecast on the PEG Channel in accordance with the fee schedule established by the Moon Township Board of Supervisors. MCATV may charge certain fees for the private production of programming that is not cablecast on the PEG channel in accordance with the fee schedule established by the Moon Township Board of Supervisors.

SECTION 12: PENALTIES

MCATV may temporarily suspend or permanently terminate the privilege of using MCATV facilities or cablecasting over the PEG channel for any person who violates any of the Rules and Regulations contained herein. Any such penalty shall be decided upon and rendered by the Executive Director of MCATV based on the specific facts underlying the violation. If appropriate, MCATV may seek criminal punishment or file a claim for civil relief in a court of competent jurisdiction.

SECTION 13: APPEALS

The Executive Director of MCATV shall have full and complete responsibility over the administration, operation, and management of MCATV and the PEG Channel. Any person who is directly affected by a decision made by the Executive Director of MCATV and who believes that he or she has been unfairly or unreasonably harmed by such decision, may appeal the decision in writing to the Manager of Moon Township within sixty (60) days of such decision. Any person who is directly affected by the Township Manager's decision, on appeal from the Executive Director, and who believes that he or she has been unfairly or unreasonably harmed by such decision, may appeal the decision in writing to the Township Board of Supervisors within sixty (60) days of the Township Manager's decision. The Board of Supervisors has complete discretion as to whether or not it formally considers the appeal at a public meeting.