

Public Educational Government Access Television Operating Rules and Procedures

Introduction

The City of Wenatchee regulates the local cable television franchise agreement, which allows providers of cable programming to use public rights of way for their cables and wiring. Within this franchise agreement, provisions are made for Public Educational Government (PEG) access channels. City of Wenatchee cable television consumers pay an 8 cent fee to fund and support Public Educational Government access channels.

In the City of Wenatchee, Channels 98 and 99 on the local communications cable system have been set aside for use for Public Educational Government Access programming.

Contact Information

City of Wenatchee Information Systems Department

Phone: (509) 888-3695

Drop Off Location:

City of Wenatchee

ATTN: Public Educational Government Access Television

129 South Chelan

Wenatchee, WA 98801

Mailing Address:

City of Wenatchee

ATTN: Public Educational Government Access Television

PO Box 519

Wenatchee, WA 98807

Not an Independent Production House

The City of Wenatchee's Public Educational Government Access Television is not a news gathering station nor is it an independent production house. This means that, with the exception of significant municipal or educational events, staff do not cover community events. Municipal organizations or educational entities cover their own productions.

Who can use PEG Television

Three categories of users are recognized under the definition of Public Educational Government Access Television. These categories are defined as follows:

1. Government users.

The City of Wenatchee, a Washington municipal corporation - This includes any and all departments within the administrative agency as well as the City Council of the City of Wenatchee. Other local or state governments may also access PEG channels by means of an interlocal agreement.

2. Education users.

Educational Entities - This may include local University extensions such as Washington State University; Wenatchee School District; certified private schools; licensed arts, trade or crafts schools; service organizations, either non-profit or for-profit, with part of their annual budget designated for educational purposes; individuals whose programs are evaluated by staff to be specifically and solely educational in purpose; or any other educational entity; **provided however**, that they fall within “Educational” use; the program to be aired must have an educational and/or instructional purpose and the entity must have a physical presence in the Wenatchee urban areas defined by our Urban Growth Boundary.

3. Community/Public users.

Public users within the City of Wenatchee who are producing or sponsoring programs that provide a public benefit.

Master Schedule

Availability of PEG TV for Public Educational Government use is established by the master schedule created each week. The schedule changes from week to week according to programming demands.

1. Scheduling of special programming: Educational and City of Wenatchee Government time slots may be exchanged, if agreed to by each entity, upon coordination with the PEG TV coordinator. Open air time on the channel may be filled with the community calendar (character generator), with programming submitted by the second or third priority user, or by satellite downlinks, as applicable. The City of Wenatchee may preempt regularly scheduled programs in order to air live coverage of important events where pre-taping is not a feasible option.

Right to Refuse Service

The City of Wenatchee reserves the right to refuse service to any person whose actions hinder the activities of staff members or violate any rules or programming policies.

General Rules

1. Programming shall comply with FCC rules regulating Cablecasting.
2. The City of Wenatchee does not authorize the community access channel(s) to be used for the presentation of:

- a. Obscene or pornographic material. The use of material which is obscene is prohibited. Obscene material is as defined in the City of Wenatchee Code 6A.26 and is prohibited by the FCC as set forth at Title 18 United States Code, Section 1464. Material which contains obscene, offensive language or excessive violence may be prohibited from City of Wenatchee PEG telecasts at the discretion of the coordinator.
 - b. Commercial advertising.
 - c. Any lottery, or any advertisement of information concerning lottery.
 - d. Any promotional material concerning products or services presented for the purpose of any solicitation of money or other things of value, unless specifically exempted under the terms of this document.
 - e. Political endorsements.
 - f. Any material which constitutes libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark or copyright or which might violate any local, state or Federal law.
 - g. Material that creates immediate danger of damage to property or injury to persons, the substantial obstruction of law enforcement or other governmental functions or services, the deprivation of any person by threat of force or physical action of a legal right or the disturbance of any person in the enjoyment of a legal right, or the creation of a public nuisance.
 - h. Such other reasons as the Coordinator determines adversely affect the operation of the City of Wenatchee PEG TV.
3. All cablecast requests must be submitted with the appropriate completed and signed forms. A signed statement releasing the cable operator and the City of Wenatchee from liability and holding the same harmless from claims of third parties will be required.
 4. Materials must be submitted in high quality DVD format a minimum of 2 weeks prior to the requested date.
 5. Channel use operating rules, application forms, licenses, facilities and equipment are all subject to change at any time.

Quality Standards

All submitted programming for airing must be of a quality suitable for cablecast. DVDs meet minimum quality standards when aired over the cable system. Audio quality of all programming must be constant throughout.

Violation of Operating Rules

At the discretion of the City of Wenatchee staff, violation of Operating Rules and/or guidelines as explained by staff may result in temporary suspension or permanent revocation of Wenatchee PEG TV privileges.

Appeals Procedure

The City's Information Systems Department is responsible for maintaining the integrity of contents placed on the City's Government and Education Access Channels based on the operating rules and procedures. Request for information to be broadcast is made through the City of Wenatchee's Information Systems Department by completing the appropriate forms. Upon receipt of the material to be cablecast and the applicable form(s), the City will determine if the material is consistent with operating guidelines. The City of Wenatchee reserves the right to refuse a request for cablecast which is illegal under city, state or federal law, or is in violation of the goals of the City's Public Educational Government Access Channels.

Within ten (10) days of an adverse decision by the City of Wenatchee, an applicant may file an appeal. Appeals shall be made in writing filed with the City Clerk identifying the applicant by name and address, and describing the basis for the appeal. Appeals shall be heard within thirty (30) days by the City Executive Services Director. Any subsequent appeals shall be filed with the Superior Court of Chelan County within twenty-one (21) days of an adverse decision by the City Executive Services Director. Failure to file an appeal within the time allotted bars any appeal.