

ARTICLE IV

The Falmouth Community Television Channel (FCTC)

Section 1. HISTORY OF PUBLIC ACCESS TELEVISION

The concept of Public Access television first began to take shape in the early 1970's when the cable television industry began providing large capacity cable systems for their subscribers. At the same time, there was a boom in the portable video equipment industry, which created a large group of video producers looking for way to distribute their programs. Out of this high tech environment grew a grassroots. Organization of people who felt that cable was the natural vehicle for their distribution problems at a local level. These early public assess advocates began organizing as the National Federation of Local Cable Programmers. The philosophy of this organization of people who felt that cable was the natural vehicle for their distribution problems at a local level. These early public assess advocates began organizing as the National Federation of Local Cable Programmers. The philosophy of this organization is that every one must have access to the television medium under the 1st amendment, the right of free speech. As concerned citizens and independent producers began petitioning their local governments to negotiate for dedicated access channels and facilities needed to produce programs for these channels, there has been rapid growth in the number of community of public access center around the country.

Section 2. FCTC MISSION STATEMENT

FCTC provides local assess to the television medium for the public's expression of "free speech" as provided for in the U.S. Constitution, for educational programs, and for local government to inform the public of their activities.

Section 3. PUBLIC ACCESS USERS

A Public Access User shall be defined as any individual or non-profit organization, whose physical address falls within the designated limits of the Town of Falmouth Who wishes to produce and cablecast programming, using the equipment or facilities of the Falmouth Community Television Channel and its designated television channel. This definition also includes anyone employed by the Town of Falmouth who does not live in the town.

Section 4. THE FALMOUTH COMMUNITY TELEVISION CHANNEL PROGRAMS

Community television in Falmouth endorses programming in 3 areas: Public, Educational and Governmental, or P.E.G.

- 1) The Public group includes anyone who lives in Falmouth and uses the channel for non-commercial purposes, a "free speech" channel for the citizens.
- 2) The Educational group includes anyone involved in local education or other agencies of the Town of Falmouth.
- 3) The Governmental group produces programs for local government.

ARTICLE V

Falmouth Community Television Channel Policies

Section 1. COST OR CHARGE

There will be no charge for the use of the Falmouth Community Television Channel. However, there will be a charge if the user wants a copy of the tape produced for FCTC.

Section 2. CONTENT RESPONSIBILITY

The Public Access User shall bear sole responsibility for the content and materials used in all programs live or videotaped. In recognition of the fact that the Falmouth Community Television Channel has not control over the content of the users cablecast program, the user must agree to indemnify and hold the Falmouth Community Television Channel, the Falmouth Cable Television Committee, the Town of Falmouth, and Public Cable therein harmless from any and all liability or other injury (including reasonable costs of the defending claims or litigations) arising from or in connection with claims for failure to comply with any applicable laws, rules, regulations, or other requirements of local, state, or federal authorities: for claims of liable, slander, invasion of privacy, infringement of common law or statutory copyright, for breach of contractual or other obligations owing to third parties, and for any other injury or damage in law or equity in which claims result from user's use of the Falmouth Community Television Channel.

Section 3. TALENT RELEASE FORMS AND CLEARANCES

The Public Access User agrees to make all appropriate arrangements with and to obtain all clearances from broadcast stations, networks, sponsors, music licensing organizations, performers and without limitations from the foregoing, and all other persons (natural and otherwise), as may be necessary to transmit its program material over the Falmouth Community Television Channel and to supply a copy of the licenses or agreements to the Falmouth Cable Television Committee.

Section 4. CHANNEL RESTRICTIONS

The Public Access User must agree to the following restrictions.

- 1) Applicant will not cablecast any advertising material designed to promote the sale Of commercial products or services including advertising by and on behalf of candidates for public office.
- 2) Applicant will not cable cast a lottery or any information concerning a lottery.
- 3) Applicant will not cablecast any indecent or obscene material
- 4) Applicant will not cablecast any material, which violates any federal or state law.

Section 5. TECHNICAL QUALITY

The Falmouth Community Television Channel Manager will review all videotapes submitted by Public Access Users for technical quality. Tapes played on the system must be able to deliver a clear, unbroken signal to subscribers.

Section 6. SCHEDULING

The Falmouth Community Television Channel Manager shall have final authority in regards to scheduling videotaped and/or transmitted programs.

Section 7. CUSTODY OF EQUIPMENT AND SUPPLIES

Users of the Falmouth Community Television Channel will be authorized access to and temporary custody of the television and ancillary equipment and the associated consumable supplies by the Falmouth Community Television Channel Manager. Although equipment and materials are loaned free of charge for the production of Public Access programming, the borrower is responsible for all damages, loss, or cost of repair involved while the equipment is signed out. The committee reserves the right to deny use of FCTC equipment to those who have demonstrated a consistent lack of ability to properly care for said equipment.