



**Media Network of Waterford  
Rules of Compliance  
MNOW Radio**

## **Guidelines for broadcasting on Satellite Radio**

### **What is Public Access Media?**

The Media Network of Waterford, as agreed to by Waterford Township provides use of equipment and facilities to residents of the Township for airing programs free of charge to residents of the township.

Public Access Internet Radio is available to any Waterford resident on a first come first serve basis, to communicate whatever may be desired.

**The Access producer is solely responsible for and liable for the content of the program.** By the FCC rules governing Public Access, advertising, soliciting, and obscenity are not allowed on any Public Access channels. (FCC rules are available for review at the Media Network of Waterford office, and the Media Network of Waterford has established Public Access rules and procedures.) <https://www.fcc.gov/media/public-educational-and-governmental-access-channels-peg-channels>

The rules and procedures ensure proper use of production equipment and facilities and protect the Media Network of Waterford and the Township of Waterford against misuse by unqualified persons.

### **What Does the Media Network of Waterford Provide?**

The Media Network of Waterford oversees the technical operation of the applicable access channels, and any other forms of broadcast the Network may enter into through Waterford Township.

The Media Network of Waterford offers free workshops that cover the basics of internet radio production: Audio recording, script writing for the ear, interviewing tips, producing shows, and editing.

- In order to use the programming facilities, residents of the Township must attend workshop to become certified in the use of equipment and procedures.

-Several different workshops are offered regularly free of charge by the Media Network of Waterford.

-All access applicants will be required to sign a statement of compliance form provided by staff. These forms will be kept on file in Media Network offices for up to two years.

**-Any minors using the facilities and equipment must be accompanied by an adult.**

### **What are the Rules Regarding Equipment Use?**

- All equipment use must be for recording or preparing a program for broadcast on Media Network Radio.

- Private or commercial use of equipment is strictly prohibited.

- If a production is not completed within 1 month of using the equipment, Media Network will place a hold on any future equipment usage.

**Non-residents of Waterford Township must pay a yearly fee to use the facilities, including equipment use in the field. (See staff person for rates).**

### **Studio Rules:**

Studio use must be used for the purpose of producing a finished program for broadcast.

- Smoke, liquids, and foods are harmful to Media Network equipment, therefore, smoking, drinking, and eating are prohibited in the studio, and editing areas. Water is permitted on posted tables, but only non-breakable containers. Please be considerate of others and clean up after use. Because this is a school district building smoking is prohibited on the grounds. Please be courteous to others as to the use of profanity in the school district building.

- Broken or malfunctioning equipment or systems must be reported to the Media Network staff immediately.

- Studio guest are limited in size and must be reported in advance to the

Media Network staff if you have more than 2 guests.

Reservations of the studio should be made not more than 30 days in advance.

Staff reserves the right to make exceptions.

-For recording programs, Media Network will schedule a 1 .5 hour studio block. More elaborate productions may require more time. The maximum time allowed for a studio production is four (2.5) hours. This includes set-up, rehearsal, production, and strike time.

- Producer must return the studio to "normal" by the end of me reserved time.

Please allow 15 minutes before the end of your studio time to allow for clean-up.

-Each reservation, whether by group, organization or individual must have a single producer who takes responsibility for the reservation, serves as the coordinator and contact Person and deals with the Media Network staff in all phases of the production.

- Each volunteer is responsible for the orderly and safe operation of studio equipment facilities.

- All equipment will be turned on and off by Network Staff.

### **Editing**

A. Editing time will be granted to access users who have a need to edit audio

B. Request for the editing suite may be scheduled up to two weeks in advance.

D. You must schedule an appointment, walk-ins are not accepted.

E. Any editing party arriving more than 15 minutes late for their scheduled editing time, without previously calling a staff member will have to reschedule.

F. The editing equipment is available for the purpose of preparing a program for radio on the Media Network radio channels.

#### **A. Program Identification:**

When a program is ready for broadcasting, the producer will fill out the "release to broadcast" form that will indicate the title, show number, show date, and length. Shows should be no longer than the allotted time period.

#### **B. Acceptable Show Formats:**

Media Network accepts the following show formats for playback:

1. MP3 on Flash Drives, or External Hard Drives or Audio Discs.

It's the producer's responsibility to bring in show on acceptable format.

#### **B. Access Disclaimer**

Producer/volunteers will add a 15 second tag at the end of all show credits stating that "This Program does not reflect the views of Media Network of Waterford".

#### **C. Loss and loss and destruction of program**

Neither Media Network or any subcontractor, Waterford Township, nor the Cable Commission will be responsible for the loss, destruction, theft, or damage to program materials when such a loss, destruction, theft or damage is due to the acts of nature or to causes beyond control.

#### **D. Quality of programs and compatibility with equipment**

Media Network or any subcontractor will not be responsible in any way for the quality of radio casting programs produced by others.

Media Network reserves the right to reject any program not compatible with standard radio casting equipment.

#### **E. Return of broadcast materials**

All users shall make their own arrangements for delivery and return to and from Media Network of program materials. Media Network will not be held responsible for any program materials.

#### **Programming Standards:**

Programming materials for transmission by eligible persons or organizations or, the internet radio channel are subject to and must satisfy the following criteria:

- Compliance with all Federal, State, and Local laws and be permitted:

1. Material that is obscene as defined by county law.

2. Any programming that constitutes or promotes any lottery or gambling enterprise which is in violation of any local laws.

3. The user will be held liable for materials containing slander, invasion of privacy, or violation of trademark or copyright.

4. Material that has a reasonable probability of creating an immediate danger or damage to property or injury to persons, or of creating a public nuisance.

5. Material that has a reasonable probability of causing the substantial obstruction of law enforcement or other governmental functions or services

**Violation of above programming standards is considered a major offense.**

### **Ethical Behavior**

This is an agreement to act in a professional manner at all times. In an effort to protect the diversity and the integrity of our organization consisting of staff and volunteers, the following rules of good conduct will be adhered to, and followed.

#### **- No Tolerance Policy**

Media Network will not tolerate harassment of any nature, or to threaten, embarrass or cause distress or discomfort upon another, (volunteer, staff member, or guest)

Violation of these rules is a major offense and an indefinite suspension may apply.

If an issue arises that cannot be settled at the time it's happening, you may be asked to leave the building until the matter is reviewed. If you are asked to leave you must do so, until the matter is settled.

#### **- Filing a complaint:**

If you believe that an issue cannot be resolved in a courteous manner, contact a staff person or the Executive Director. You will be asked to fill out a complaint form. Once the complaint form has been reviewed and the matter settled, officially the issue will officially end. In the event that special circumstances arise in an outside matter (Outside the Media Networks realm) of resolving certain problems, the outcome may then be determined by the Media Network Board of Directors.

#### **-Suspension Defined:**

A debarment, as from office or privilege. Temporary stoppage. (American Heritage Dictionary) If you are suspended from the Network, you are not allowed to take out equipment, call the office (unless we have called you first), or to enter the premises of Network facilities until your suspension is over.

#### **- What happens if Access Rules are violated?**

- The Media Network of Waterford has set up the following guidelines:

In the instance of a violation, and adheres as closely as possible to the rules. These rules serve as a protection against possible misuse of equipment and are designed to ensure equipment and time are available to all facility users. will be removed from radio casting and reviewed by prosecuting attorney for further action.

## Slander Defined:

n. oral defamation, in which someone tells one or more persons an untruth about another which untruth will harm the reputation of the person defamed. Slander is a civil wrong (tort) and can be the basis for a lawsuit. Damages (payoff for worth) for slander may be limited to actual (special) damages unless there is malicious intent, since such damages are usually difficult to specify and harder to prove. Some statements such as an untrue accusation of having committed a crime, having a loathsome disease, or being unable to perform one's occupation are treated as slander per se since the harm and malice are obvious, and therefore usually result in general and even punitive damage recovery by the person harmed. Words spoken over the air on television or radio are treated as libel (written defamation) and not slander on the theory that broadcasting reaches a large audience as much if not more than printed publications.

## Libel Defined:

a written or oral defamatory statement or representation that conveys an unjustly unfavorable impression *b* (1) : a statement or representation published without just cause and tending to expose another to public contempt (2) : defamation of a person by written or representational means (3) : the publication of blasphemous, treasonable, seditious, or obscene writings or pictures (4) : the act, tort, or crime of publishing such a libel.

## Rules governing obscene, indecent and profane programming

Congress has given the FCC the responsibility for administratively enforcing the law that governs obscene, indecent and profane programming. The FCC may revoke a station license, impose a monetary forfeiture or issue an admonishment for the broadcast of obscene, indecent or profane material.

Obscene speech is not protected by the First Amendment to the Constitution and cannot be broadcast at any time. The Supreme Court has established that, to be considered obscene, material must meet a three-pronged test:

- An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest.
- The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law.
- The material, taken as a whole, must lack serious literary, artistic, political or scientific value.

The FCC has defined broadcast indecency as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities." Indecent programming contains patently offensive sexual or excretory material that does not rise to the level of obscenity. The courts hold that indecent material is protected by the First Amendment and cannot be banned entirely. FCC rules prohibit indecent speech on broadcast radio and television between 6 a.m. and 10 p.m., when there is reasonable risk that children may be in the audience.

The FCC defines profane material as "including language so grossly offensive to members of the public who actually hear it as to amount to a nuisance." Like indecency, profane speech is prohibited on broadcast radio and television between 6 a.m. and 10 p.m.

**If I have comments or concerns about a specific broadcast?**

**Please see a staff member.**

**Scheduling Requirements for Radio Access:**

Those eligible for use of Radio access must complete the "Release to Radiocast".

Upon completion and filing of the release with the playback operator, the requested times and dates for transmission will be scheduled by the playback operator. Those applying under the age of 18 must be cosigned by parent or guardian. Parent or Guardian assumes ALL of the minor's obligations and is subject to the liabilities set forth in these rules in the release.

To assure fair use of access time to eligible persons or organizations, reservations of access time are subject to the following conditions:

**A.** To reserve time, the playback operator requires the release to cablecast form be filled out at least 5 days in advance of the requested transmission times.

**B.** If the transmission times are unavailable, the applicant will be notified of transmission times that are available.

**C.** Applicant will be granted two transmission time slots, usually one day time, and one night time slot.

These will be your assigned times that you can advertise\*

\* Although these are your assigned times, this does not guarantee playback will not fail due to loss of power, temporary loss of signals, emergency broadcast system, head-end issues, acts of God.

**D.** Media Network may re-run your shows as needed for filler, filler is used to fill programming in slots not taken on Media Network's playback schedule, it is the sole discretion of Media Network Staff what is to be used as filler and what is not. Dates and times of re-run programming is also up to Media Network.

Producers can notify Media Network if they do not want produced shows to be used as filler. It is recommend that producers do NOT promote times of shows in filler time slots. These slots can change at any time without notice.

**E.** In the event a user is scheduled more than 4 hours in a given calendar month, the playback operator in consultation with the Executive Director may preempt anytime scheduled in excess of five hours to favor other users not meeting the test. The preemption may occur up to one week in advance of cablecast time.

**F.** "Locally Produced Programming", i.e. programming which is substantially created, taped, or otherwise produced within Waterford Township can preempt non-locally produced programming.

**G.** Media Network staff reserves the right to terminate the transmission of any program at any given time, which does not meet production quality standards of Media Network

**H.** When a program contains adult material, the following disclaimer must be included in the introduction at the beginning of program opening.

"This program contains adult material and is intended for a mature audience. The producer assumes full responsibility for program content."

**I. Indemnification:**

Any producer of the access channel will be expected to assume full and complete responsibility for responding to any complaints respecting his/her program(s) and to answer any inquiries, which are received from the Federal Trade Communication Commission respecting such programming, Producers must respond to inquiries or complaints about program material. Failure to respond to inquiries or complaints about program material may result in a discontinued radio cast. As a precondition to use of MNOW Radio and or all access channels, any users must agree to defend, indemnify and hold harmless Media Network or its \*/subcontractor, the Waterford Township Cable Communications Commission, and the Charter Township of Waterford from and against any and all claims, demands, causes of action, liabilities, judgments, cost and expenses (including attorney fees) arising out of the users use of the MNOW Radio channel Media Network and its subcontractor will not assume any responsibility for answering any complaints that may be received from the general public as to the quality or content of such programming. Neither Media Network nor its subcontractor prescreens programming, however if its determined following playback of a particular program that any violation of access programming has occurred, disciplinary action of a major offense will follow.

**Final Point:** \*\*\* Rules are subject to change in order to adjust to any unforeseen change in Access use by the citizens of the Township of Waterford.

**Statement of Compliance:**

To: Media Network of Waterford Volunteers.

A. I have read and am thoroughly familiar with the contents of the Access Rules and Procedures.

I am thoroughly familiar with the contents of the program material to be taped and/or radio-cast and agree that it will comply with all local, state, and federal laws with regard to radio programming, and it will not violate any of the operating rules and procedures set forth by Media Network. I, the producer, could be legally responsible and subject to disciplinary action for a major offense if material contains any of the following:

- 1 . Advertising material designed to promote the sale of commercial products or services, or material, which identifies any product, services, or material, which identifies and product, service, trademark or brand name in a manner that is not reasonably related to the noncommercial use of such a product, service, trademark, or brand name on the program.
2. Commercial programing which in whole or in part depicts, demonstrates or discusses products, services or businesses with the intent of substantial effect of benefiting or enhancing a profit making enterprise.



3. The direct solicitation of appeals for funds or other things of value for any and all purposes.
  4. Political endorsements or advertising by or on behalf of candidates for public office.
  5. Material that is obscene as defined by county law.
  6. Any programming which constitutes or promotes any lottery or gambling enterprise which is in violation of any local law.
  7. Material which constitutes libel or slander, invasion of privacy or publicity rights, unfair competition, violation of trademark or copyright or which may violate any local, state or federal laws.
  8. Material that has reasonable probability of creating an immediate danger or damage to property or injury to persons, or creating a public
  9. Material that has reasonable probability or causing substantial obstruction of law enforcement or other governmental functions or services.
- C. I assume full responsibility for the content of all program material radio cast and will ensure that such program material will not violate any right of 3<sup>rd</sup> party.
- D. I have obtained or, before the program is radiocast, I will obtain all approvals, clearances, licenses, etc., for the use of any program material which I radiocast, including but not limited to approvals by broadcast stations, networks, sponsors, music licensing organizations, copyright owners, performers representatives, all persons appearing in or referred to in the program material, and any other approvals necessary to transmit program material over the Media Network of Waterford channels or radiocasts.
- E. I indemnify and hold harmless Media Network and any staff members against any claims arising out of radiocasting or, any branch of this Statement of Compliance, including but not limited to any claims in the nature of libel, slander, with applicable laws and unauthorized use of copyrighted material. I understand that I may be criminally or civilly liable for performing or producing such material that is radio cast.
- F. I understand that I may not represent myself or any other person involved in community access radio casting of productions as an employee, representative, or agent of Media Network or its facilities.
- G. I agree to pay the cost of any repair or replacement of equipment or materials resulting from damage, misuse, or theft while such equipment or materials are in my possession or control, I understand the penalties that apply if I do not equipment or materials that are in my possession and control. I understand the penalties that apply if I do not return equipment or materials on time.
- H. I shall not use the Media Network Public Access Radiocast equipment or facilities for any financial gain or any other commercial purposes. I understand the programming produced with Media Network equipment or facilities must play on Media Network website, or cablecast, or live radio.
- I. I understand that false or misleading statements made in this application are grounds for forfeiture of the right to use the Media Network Public Access equipment and facilities.



**Statement of Compliance  
Media Network of Waterford**

Name: \_\_\_\_\_

Driver's License Number \_\_\_\_\_

Home Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Cell Phone Number \_\_\_\_\_

Home Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

Name of Show \_\_\_\_\_

Non-Resident? \_\_\_\_\_ if marked yes you are still eligible to participate, please see a staff person.

How did you hear about Media Network? \_\_\_\_\_

Signature \_\_\_\_\_

**\*\*By signing this form you are stating that you have read the rules, and that will comply with Media Network's rules and regulations.**

Media Network is not responsible for failure of equipment.

