
HAMBURG TOWNSHIP

ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL



Effective Date:

Rescinds:

Title: **PUBLIC INFORMATION**

No: **6.0**

6.0 Public Information

6.1 Public Contact

6.1(a) Courtesy. The primary goal of the Township is to serve the public. All staff and employees will respond to requests for Township information from members of the public with courtesy and efficiency. All officials and employees shall communicate with the public in a friendly, courteous and efficient manner at all times.

All visitors to the Township hall shall be greeted in a friendly, helpful manner. The receptionist shall be under the day to day supervision of the Township Clerk, who shall ensure that the public's needs are being met.

Phone calls to the Township shall be answered, "Good Morning/Good Afternoon, Hamburg Township, this is _____ speaking, how may I help you?"

Department heads shall make every effort to see visitors who need their assistance. When workload or other commitments do not allow for an immediate meeting, the visitor will be asked to make an appointment at a mutually convenient time.

6.1(b) Complaints and Problems. All citizen complaints and problems will be directed to the appropriate office or official.

Complaints or other concerns received from a citizen shall be received with courtesy. The official or employee will make every effort to resolve a complaint or problem, within the official's or employee's scope of authority. Department heads will be notified of all complaints.

The Township Supervisor and Clerk shall be notified in writing of any citizen complaint. The notice shall include the name and address of the citizen, the nature of the complaint, and how the complaint was resolved. The Supervisor or Clerk may make a subsequent inquiry with the citizen to ensure the issue was resolved to the citizen's satisfaction.

6.2 Public Information Officer

The Supervisor and the Clerk shall be the public information officers for the Township and shall be responsible for public information associated with their departments of responsibility. The Treasurer is responsible for supervising the preparation of the Township newsletter. Public service announcements and media releases on Township government events and responding to inquiries from the media or referring contact to other appropriate Township officials shall be jointly coordinated by the Supervisor and the Clerk.

Township employees will refer all public information announcements to the Supervisor and the Clerk prior to releasing them to the public or the media.

6.3 Public Notices

6.3(a) Meeting Notices. The Township Clerk shall be responsible for posting all regular, special and rescheduled Board meetings in conformance with the Open Meetings Act and other State laws. Departments Heads shall be responsible for posting of special meetings related to their department.

6.3(b) Public Notices. The Township Clerk shall be responsible for publishing and mailing all public notices required by State law, including but not limited to:

1. Board of Review meetings
2. Budget Public Hearings
3. Planning Commission Public Hearings
4. Zoning Board of Appeals Hearings
5. Special Assessment District Hearings
6. Election Notices
7. Master Plan Adoption and Amendments Public Hearings
8. Truth-in-Taxation Notice
9. Board Meeting Minutes Synopsis
10. Request for Proposals

Department Heads shall submit all public notices for publishing to the Clerk &/or Deputy Clerk. Departments Heads shall be responsible for posting of special meetings related to their department.

6.4 Freedom of Information Act Requests

Pursuant to P.A. 1976 No. 442, as amended, and MCL 15.231, as amended (Freedom of Information Act – FOIA) Hamburg Township provides access to all Township public documents except those or portions of those exempt from release under FOIA. The policies and procedures herein are intended to implement the requirements of FOIA and the release of documents that exist at the time any requests for them are made.

All requests for copies of public documents or to review public documents must be in writing with the exception of the following:

- a) Copies of assessment/tax records by the property owner of his/her own property.

- b) Copies of assessment/tax records that are reasonable and readily available at the time of the request.
- c) Copies of all current meeting agendas.
- d) Copies of all current minutes.

All written requests shall describe the public record or records requested sufficiently to enable the FOIA Coordinator to find said public record.

A written request made by facsimile, electronic mail, or other electronic transmission, is not logged as received by the FOIA Coordinator until one (1) business day after the electronic transmission is made. For a request to be considered a sufficient writing to satisfy the FOIA, it must contain the following:

- a) The name, address and contact information (i.e. phone number, email address) of the requester.
- b) A statement indicating that the requester will pay the costs allowable under the FOIA, or documentation that the requester is receiving public assistance or other facts showing inability to pay due to indigence.

Generally, oral requests for documents do not constitute a request under FOIA. However, if a citizen making an oral request is disabled, either temporarily or permanently, so that he/she is unable to make the request in writing, special accommodations must be made. It is the duty of the department receiving the request to write out the request for the citizen as an accommodation under American Disability Act (ADA). Once written, the request should be processed as a formal request under FOIA.

6.4(a) FOIA Coordinators. The Township Board shall appoint a FOIA Coordinator. The FOIA Coordinator may designate another individual(s) to act on his or her behalf in accepting and processing requests for the public body's public records, and in approving a denial pursuant to FOIA.

6.4(b) Processing. Often times a request for documents under FOIA will be received by the specific department. The request must be immediately turned over to the FOIA Coordinator for processing. The FOIA Coordinator in turn will request and receive from the appropriate departments, the requested documents together with a memorandum regarding the request, listing the staff time involved in retrieving. The FOIA Coordinator shall review the departmental response for both compliance with the Township policy and consistency with the Township's response to similar requests. Any required changes shall be immediately discussed with the responding department or, if appropriate, the Township Attorney. The responding department shall immediately make any changes directed by the Coordinator and provide the Coordinator with revised documents as may be necessary.

The department will provide the requested records to the FOIA Coordinator no later than four (4) days from receipt of the request. If this is not possible, the department shall notify

the FOIA Coordinator immediately. The Coordinator will contact the requesting party and notify them of a 10-day extension of time to respond, if appropriate.

If a department cannot provide a requested record because it does not exist, the FOIA Coordinator will be notified in writing immediately. If a record does not exist in the form requested, or if it is exempt under FOIA, the Coordinator will send a notice of denial, which contains the required appeal information (see Section 6.4(d)).

In the event the request is to view public documents, a monitor (Township staff person designated by the FOIA Coordinator) will be assigned. The requestor shall be notified of the scheduled day and time for the inspection.

6.4(c) Payment of Costs. The requester will be invoiced by the FOIA Coordinator for actual costs in filling the request. These costs are contained in the Administrative Fee Schedule. (insert hyperlink)

Except as provided below, no fee shall be charged for searching, examining, reviewing, and deleting and separating exempt from non-exempt material unless failure to charge a fee would result in unreasonable high costs to the public body because of the nature of the request in the particular instance, such as, by way of example, cases requiring advice from legal counsel, additional staffing or other direct expenses not in the ordinary course of business. (If a FOIA request is made for an easily identified document consisting of a few standard size pages, labor for the search, examination, and making deletions under the FOIA would generally not present a case of unreasonably high costs to a public body. In such a case, the Legislature has directed that no charge be imposed. If a request for "any and all" documents as to a particular subject, requires a search of many boxes of records, including review for exempt material which must be or may be deleted (per Section 13 of the FOIA), and if that search, examination, and review involves numerous hours of labor, charges may be imposed to avoid the unreasonably high cost arising from the nature of that particular request.)

In any case where the estimated actual cost to Hamburg Township of responding to a request for a copy of a public record exceeds \$50.00, a good faith deposit equal to ½ of the estimated cost of such response shall be required prior to completing the request. The FOIA Coordinator shall be responsible for collecting the computed costs prior to the release of the requested documents.

A copy of a public record shall be furnished, without charge for the first \$20.00 of the fee for each request, to an individual who submits an affidavit that he or she is then receiving public assistance, or if not receiving public assistance, stating facts showing inability to pay the cost because of indigency.

If an individual has an outstanding FOIA bill, the information shall be turned over to the Accounting Department for collections proceedings. The Township cannot refuse to comply with subsequent FOIA requests due to an outstanding invoice.

The Township Board may waive some or all of the costs as may be in the public interest because furnishing copies of the document(s) would be considered as primarily befitting the general public.

6.4(d) Response. The initial response may be either grant or deny the requested documents or extend the time for response up to ten (10) business days. The response either granting or denying access in whole or in part to the requested documents must contain the following:

1. An invoice containing a detailed breakdown and backup of the charges to process the request.
2. Transmittal indicating where the requester may pick up the released documents and pay the appropriate costs. This transmittal shall also include the following statement: *"The Township does not warrant or guarantee the accuracy of the information provided. Rather, it provides the documents only to comply in good faith with the Michigan Freedom of Information Act, and not for any other purpose."*
3. If any aspect of the response is less than a full granting of the request, the final paragraph MUST be inserted exactly as follows:

"If you receive written notice that your request has been denied, in whole or in part, under Section 10 of the Freedom of Information Act, you may, at your option, either 1) submit to the Hamburg Township Clerk a written appeal that specifically states the word "appeal" and identifies the reason(s) for reversal for the disclosure denial; or 2) file a lawsuit in the circuit court to compel Hamburg Township's disclosure of the record. If, after judicial review, the circuit court determines that the Township has not complied with the Act, you may be awarded reasonable attorney's fees and damages as specified under the Act".

4. Material identified as exempt shall be forwarded to the requestor accompanied by a transmittal letter indicating the specific reasons why any material is not being disclosed together with the right to appeal or seek judicial review.

5. Redactions

6.4(e) Appeals. Under the Act, the requesting person has the option of pursuing an appeal to the Hamburg Township Board or proceeding to circuit court. If the requesting person wants to appeal to the Township Board, the requester must submit a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial. The Township Board is not considered to have received a written appeal until the first regularly scheduled meeting following submission of the appeal. Within ten days after receiving the written appeal, the Township Board must do one of the following:

1. Reverse the disclosure denial;

2. Issue a written notice to the requesting person upholding the disclosure denial;
3. Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part; or
4. Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Township Board will respond to the written appeal. The Township Board is prohibited from issuing more than one extension for any particular appeal.

6.4(f) Document Storage. FOIA Documents to be released by the Coordinator shall be held for one year plus one day. If the requester fails to pay the amount due the Township, or fails to pick up the documents, the documents may be recycled, destroyed, or returned to the appropriate department.

6.4(g) Record Keeping. The FOIA Coordinator shall maintain a chronological file of all FOIA requests processed by him/her together with a copy of the document provided, response letter, and invoice. These files must be maintained for a period of one year and one day from the date of response.

6.5 Incoming Mail

1. All mail addressed to the Township is considered Township mail. Employees cannot expect to use the Township P.O. Box or its physical address as a personal mail service.
2. All mail clearly and properly addressed to a specific individual or department will be distributed unopened with the envelope date stamped. The mail recipient will assume full responsibility for forwarding all invoices and documents (or copies) scheduled for retention to the appropriate departments in a timely fashion.
3. All mail with addressee not clearly specified will be opened to determine proper distribution with the following exceptions:
 - A. All mail addressed to the Police Department will be distributed unopened.
 - B. All mail addressed to the Library, with the exception of bank statements, will be distributed unopened. The Treasurer's Office will retain the original and forward a duplicate copy of the statement to the Library.
 - C. Mail from the Assessor's Office returned by the USPS as undeliverable will be distributed unopened.
 - D. Mail addressed to a specific individual marked "Personal and Confidential" will be distributed unopened.
 - E. All mail marked "Invoice" or other indication of request for payment will be delivered to Accounts Payables.

- F. Any questions or concerns regarding the receipt and processing of incoming Township mail shall be addressed with the Clerk's Office in a timely fashion in order to expedite resolution.
- G. The Clerk's Office reserves the right to open and inspect any suspicious mail with a Township address that it deems necessary.
- H. All mail will be processed and distributed on a daily basis.

6.6 Outgoing Mail

All outgoing mail must be stamped/metered and deposited in the outgoing mail box located next to the postage machine by 4:00 PM, M-F for same day Post Office drop off unless special arrangements are made with the Clerk's office.

6.7 Confidential Information

Officials and employees shall not release any information to the media which would be a violation of a citizen's or a member of general public right to privacy.

6.8 Social Media Policy

Note from Deby: It is possible that some of this could go into the Handbook I am suggesting we develop. It should be up to the board to decide what should be included in Administrative policy, and what could include a reference.

Purpose:

Hamburg Township supports the use of social media technology to enhance communication, collaboration, and information exchange to further the goals of the Township where appropriate. This policy establishes policies and procedures for social media covering all Township employees, Township Board members, and/or Committee members. This policy may evolve as new technologies and social media offerings change.

Definitions:

Content: Words, Video, Audio, or any combination of these things, which are used to relay a message to the public through Social Media Networks.

Social Media Networks: Examples of this are Facebook, Twitter, Instagram, Cable Channel, Website, etc.

Social Media Specialist(s): Staff member and/or Township Board or Committee member who has been granted authority by the Social Media Director to perform the duties as outlined in this policy as relates social media activities for their particular category.

Social Media Director: Township Official, or designee, who has been granted authority by the Township Board of Trustees to oversee all social media activities of the Social Media Specialist, and approve content for the category they have been assigned. They work with the Township Clerk for all press releases no matter the category of content.

Emergency Management Director: Township Official, or staff member, as listed in the Emergency Management Plan Resolution, who is authorized to direct staff to post on any platform, for purposes of relaying timely information to the public in an emergency situation.

Social Media Activities: Include, but are not limited to: Social Media Posts, Advertising, Township Newsletter, Local Newspaper Articles, Cable Channel Programming, Printed Media, Public speaking engagements and/or presentations.

Technology Director: Head of the IT Department, or designee, who maintains a list of approved social media networks and sites for official use. Has final authority to edit or remove official social media sites, and any content therein, should there be a security issue, or at the direction of the Township Board.

Township Clerk: Maintains all record of public comment, backups, and is main point of contact for all Press releases.

Responsibilities

The Social Media Specialist will:

- Develop and distribute social media posts on assigned mediums, such as Facebook, Twitter, Instagram, and/or the Township website or cable channel.
- Assist Clerk in developing press releases, newsletter articles, printed materials, presentations, etc.
- Ensure all social media sites and channels are kept current.
- Have authority to respond to comments for all posts.
 - Informational questions that can be easily responded to.
 - Sensitive questions/comments will be referred to the assigned Social Media Director for suggested response, if any.
 - Monitors sites daily and responds to comments in a polite and respectful tone.
 - Ensures that all content is appropriate, professional, and consistent with Township Policy.
 - Ability to make comments via their own devices after hours. (Handbook will need to address this, or not allow – up to you)
- Stay current with social media networks, and have the ability to measure performance metrics.
- Have a working knowledge of the ads platform for each medium, if any (useful).
- Keep the Social Media Director informed of the used social media sites and activities.

- Provide available reports, or copies of posts/comments, as requested through F.O.I.A.
- Monitor Google Information Panels and ensure accurate information is reflected and post responses to comments as needed.

The Social Media Director(s) will:

- Approve the Social Media Activity plans for their category, as well as the addition of any new platforms, with approval from the Technology Director.
- Oversees and Is responsible for content posted by the Social Media Specialist(s).
- Authorizes Advertising Budgets, if any, for media campaigns and boosted posts.
- Designate a Social Media Specialist and back-up responsible for overseeing the category's social media activities, policy compliance, and responding to comments completely, accurately and in a timely manner.
- Designate appropriate usage levels including identifying what social media accounts individuals are approved to use, as well as defining roles, which is further defined in the **Township Social Media Handbook**.

The Technology Director will:

- Have final authority to edit or remove official social media sites, and any content therein, should there be a security issue.
- Maintain a list of approved social media networks, passwords, registered email addresses, and list of authorized site users for the purpose of emergency management.
- Provide training opportunities to staff on best practices and provide samples of acceptable content.
- Work with the Emergency Management Director to draft and distribute content in an emergency situation.
- Ensure all social media sites have the correct security settings with the assistance of each Social Media Specialist and their assigned Director.

Procedures

While the content for each Department within the Township varies, the overall theme, tone, and professionalism must be carried through. Examples of typical posts, as well as ones used for media blasts/promotions, will be provided in the **Township Social Media Handbook**. The Technology Director and each Social Media Director will ensure that the staff member given the responsibility for the public face of the Department is:

- Familiar with the content allowed based on applicable Federal and state laws, ordinances, regulations, and Township policies. This includes but is not limited to laws regarding personally identifiable information, copyright, records retention, First Amendment, Health Insurance Portability and Accountability Act (HIPAA), The Privacy Act, and employment related laws.

- Is responsible and equipped to carry-out social media activity in accordance with the Township Social Media Handbook (This will need to be developed and agreed upon by Department Heads and IT).

Departments who choose to utilize social media for things other than typical posts, such as media blasts/promotions, shall:

- Submit a Social Media Action Plan to their assigned Social Media Manager, as outlined in the Social Media Handbook, for public events/advertising, that identifies the department's mission, goals, objectives, audiences, and measures of success.
- Request, and have approved, a "not to exceed" budget for their efforts. Advertising and boosted posts can be successful in reaching beyond organic reach, and can target specific demographics for things such as: completing surveys, public meeting announcements, and important safety related posts.
- May approve the distribution/advertising through a vendor hired for specific purposes such as planning, engineering, etc. The social media plan would be developed by the vendor/contractor and submitted to the Social Media Director and Technology Director for approval.

Authorized Use

Hamburg Township respects the right of any employee to engage in online social networking using the Internet, other technology, and social media networks during their personal time. This includes instant messages, text, video, photos, and audio. While we respect the employee's right of self-expression, in order to protect the Township's interests and ensure employees focus on their job duties, employees must adhere to the following guidelines:

- Employees may not engage in such activities during work time, or at any time with Township equipment or property, without Social Media Director's approval, or within the confines of the expected duties of Social Media Specialist.
- Information published on social media networks that has to do with any aspect of work must comply with all confidentiality requirements, HIPAA, and Township Policies. Information related to persons receiving services from the Township must not be disclosed. Privacy rights of fellow employees and Township Board members must be respected.
- Township Departments or employees may not create a social networking site or service to conduct Township business without a Social Media Action Plan and approval from the Social Media Director assigned to their category, with review by the Technology Director.
- If the employee mentions the Township while engaging in social networking and also expresses a view or opinion regarding the Township's actions, the person must specifically note that the statement is his/her personal view or opinion and not the view or opinion of the Township. This standard disclaimer does not by itself exempt

program supervisors, managers, coordinators, and the Township Board from special responsibility when using personal social networks.

- By virtue of your position as a Hamburg Township Employee, you are held to a higher standard than general members of the public, and your online activities should reflect professionalism.
- Users must immediately report violations of this policy to their program manager or supervisor, as well to the Human Resources Director.
- All program managers and supervisors are responsible for enforcing this policy. Employees who violate this policy are subject to discipline up to and including termination from employment, professional discipline, or criminal prosecution, in accordance with the Hamburg Township Personnel Policy and Procedure Manual.

Approved Social Media Networks, Cable Channels, Websites

Departments shall only utilize Township approved social media networks for hosting official Township social media sites. A list will be maintained by the Technology Director, and made available to the Social Media Director(s). Networks may vary for use depending on the category of content.

- Social Media Action Plans, for anything other than approved daily use, will be reviewed and approved by the Social Media Director and Technology Director prior to public release.
- Social media sites that are created on behalf of any Township Department that are not approved by the Technology Director and Social Media Director, will be in violation of this policy. Employees who violate this policy are subject to disciplinary actions as outlined in the **Personnel Policies and Procedures Manual. (or could reference another section of the Admin Policy)**
- For each approved social media network, usage guidelines will be outlined in the Hamburg Social Media Handbook.
- The Social Media Specialist is responsible for the creation of Hamburg Township's social media sites, at the direction of their Social Media Director and/or the Technology Director.
 - Social media sites will be created using official Township email accounts, or other approved email such as Gmail, on file with the Technology Director.
 - Passwords will be created and maintained by the Social Media Specialist, with copies on file with the Technology Director, and will conform to password requirements. Passwords shall be promptly reset when authorized access is removed.
 - Social Media Directors shall notify the Technology Director immediately in the case of termination for any employee with authorized use of any social media networks used by the Township.

Authenticity Establishment & Site Content

Hamburg Township's social media sites shall be created and maintained with identifiable characteristics of an official Township site. Both creation and maintenance of sites, and the content there in, shall comply with procedures as outlined in the Social Media

Handbook. Wherever possible, links should direct users back to the Township's official website for more information, forms, documents, or online services. Social Media should not serve as a duplication of efforts, but as a way to further the goals and mission of the Township.

A list of undesirable content and/or words posted by external and authorized users will be provided to the Social Media Specialist who may remove them at their discretion, and/or by the direction of the Social Media Director, as outlined in the Social Media handbook. This includes, but is not limited to, removal of public comments using profanity and/or inappropriate images.

Security Compromise

If a compromise is identified on any official Township social media site, the managing Social Media Director and the Technology Director, must be notified immediately. The Social Media Specialist will change appropriate passwords immediately to isolate the incident, and archive compromising content as outlined in the Social Media Handbook.

The Technology Director has final authority to edit or remove official social media sites, and any content therein, should there be a security issue, or at the direction of the Township Board.

Record of Updates

This policy will evolve as new technologies and social media sites change. Please refer to the Social Media Handbook for the latest changes.

6.9 Governmental Access Cable Television Channel Capacity Policy

6.9(a) Introduction

As part of its administration of its cable franchise authority, the Township of Hamburg is hereby establishing guidelines for the use of channel capacity on the cable system dedicated by the Cable Franchise Grantee for governmental purposes. All regulations shall be governed by applicable regulations of the Federal Communications Commission.

This policy may be included in the Municode version of Hamburg Township Ordinances if so designated and directed by the Hamburg Township Board of Trustees.

6.9(b) Background

Under the Cable Franchise Agreement, the Cable Franchise Grantee is required to supply channel capacity for access to its cable system for governmental access purposes.

At the time of the adoption of this policy, video access is provided over one channel, Channel 191. Its broadcast signal is being carried over the Charter Spectrum Cable TV Network. The Technical Services Department of Hamburg Township maintains and operates Channel 191 under the direction of the Hamburg Township Board of Trustees.

These access guidelines establish rules, procedures and requirements to determine eligibility to program the capacity and the acceptability of programming material for governmental

access, and otherwise set forth operating policies by which the Township will make use of governmental access capacity.

6.9(c) Purpose

The purpose of governmental and community cable TV access hereunder is to provide to Hamburg Township Board, commissions, committees, departments and community organizations an outlet for governmental and community information and programming, and also additional educational and public information video programming and announcements.

6.9(c)(1) Eligible Governmental and Community Entities

- A. **Access to Channel Capacity:** Upon application to the Township, governmental access information or programming may be inserted over the cable system's governmental access channel capacity by an eligible governmental or community entity.
- B. **Eligible Entities:** The term "eligible entity" means the following:
 - i. Township Board of Trustees
 - ii. Executive personnel and administrative personnel of the Township of Hamburg
 - iii. The Boards, commissions, committees and departments of Hamburg Township
 - iv. The Hamburg Police Department;
 - v. The Hamburg Fire Department;
 - vi. Executive personnel and administrative personnel of Livingston County; and the State of Michigan; and
 - vii. Other entities as may be allowed by the Township Board of Trustees.

Governmental access is intended both for in-service use by and between eligible government entities and community groups and as a public service to the citizens of Hamburg.

6.9(c)(2) Responsibilities of the Technical Services Department

- A. Responsible for coordinating the operation of Channel 191 pursuant to the direction of the Hamburg Township Board of Trustees. The Director of Technical Services shall designate staff responsibilities for maintenance and operation of Channel 191's station, equipment and programming.
- B. Provide the Township with advice concerning governmental issues that are relevant to Hamburg and the development and procurement of information, information services and programming responsive to those issues.
- C. Shall regularly consult with eligible governmental entities to identify relevant governmental issues.

D. May seek comment from members of the Hamburg community or Township legal counsel, or approved industry consultants for further input on relevant issues and information, information services and programming responsive to those issues.

E. Shall be the primary interface with the cable television franchisee for the purpose of scheduling franchisee-provided resources and facilities for the production and cablecast of governmental access programming. All franchise agreements shall be approved by the Township Board of Trustees and executed by the appropriate Township elected officials.

F. Shall be responsible for collecting programming information and materials from eligible governmental and community entities. The Township Board of Trustees has ultimate authority with respect to programming and material transmitted over the governmental access capacity.

G. Shall assist in and coordinate the production of governmental access programming both onsite and offsite for such entities as they may require, subject to available facilities, funds and personnel.

H. Develop, produce, and distribute a program schedule to community media, Township staff and others upon request.

I. Shall review and approve all material or programming cablecast on governmental access capacity pursuant to policy set by the Township Board.

J. Shall be responsible for reviewing accessibility options for the deaf and hard of hearing community as such technologies may become available. The Township Board of Trustees shall have final approval for any contracts required to provide such services.

K. Shall be responsible for the physical and daily operation of the governmental access channel capacity.

L. Chain of Command: The Technical Services Department shall report first to the Township Supervisor, then to the Township Board of Trustees.

6.9(c)(3) Programming

A. Programming Focus

Programming shall be primarily focused in four main areas:

- government programming;
- community programming;
- educational and community interest programming;
- public service programming;

All programming shall be of special interest and benefit to the residents of the Township of Hamburg, and shall promote and further the goals and objectives of the Hamburg Township Board for Hamburg Township. All applicable FCC regulations shall govern.

B. Programming Types

Automated News Services Programming	Modules provided under agreements with Leightronics, Inc. and/or other suppliers as approved by the Township Board of Trustees.
Live	Live coverage may be provided, subject to the preemption for any material that does not comply with these guidelines.
Remote	Utilizing remote video production facilities for on-location tape-delayed cablecasts.
Video Delayed	Events or presentations may be recorded for cablecast at a later time. Recordings of live cablecasts may be replayed.
Locally Produced Programs	Original programs that are governmental and community programming may be produced by eligible entities, including production and production assistance by Technical Services staff or others on behalf of such eligible entities. Any copyrights to locally produced programming shall belong to the eligible entity producing such program. If such eligible entity is not organized and authorized to own such a copyright, the copyright shall belong to the Township or the County or the State with direct jurisdiction over the eligible entity.
External Programs	Governmental, community and educational programming may be acquired or borrowed by eligible entities for access. The eligible entity shall be responsible for securing all copyright authorizations required for externally produced programs and shall provide a written copy of such authorizations upon application to Technical Services staff to air such programming.
Alphanumeric Message Board	A governmental and community bulletin board may be maintained to display messages of local interest in Hamburg Township and Livingston County, Michigan and a community calendar.
Data	Computer applications may be integrated over the access capacity as technology permits.

C. Program Log

A daily log will be maintained of all programming cablecast that day by Technical Services staff. A Program Guide may be placed on Channel 191 and/or the Township's web site. Notices regarding scheduling for certain broadcasts including "Meet the Candidates" forums may be placed on the Township's web site.

D. Township Control

Hamburg Township reserves the right to control all programming, including all non-profit advertising, which is broadcast over the channels. No for-profit advertising is permitted due to cable TV franchise limitations. The right of control is a broad right, including, but not limited to, control over any and all content (video, audio, graphics, text), length of programming, broadcast schedule times, methods of production and broadcasting, copyright of materials generated by Hamburg Township and any related fees, production costs, broadcasting costs and/or equipment costs.

E. Political Programming

No "political programming" shall be accepted for governmental access except as may be approved by the Hamburg Township Board of Trustees.

i. Definition of "Political programming"

a. That programming which, if inserted on the governmental or community access channel capacity, would constitute a use by a legally qualified candidate or his or her supporters (authorized or unauthorized) that would give rise to requirements by a cable operator, if such programming were to have been inserted on a cable channel subject to the cable operator's control, to provide equal opportunities and quasi-equal opportunities to other such candidates for the same office or their supporters (authorized or unauthorized) under Federal Communications Board CFCC") cable television regulations, e.g., 47 C.F.R. §76.3(q) and §76.205 et seq., and related FCC policies, rules and doctrines, including the "personal attack rule."

b. "Meet the Candidate" and other issues-related forums held prior to elections may be allowed as approved by the Hamburg Township Board of Trustees even though they may be considered "political" programming.

ii. Definition of "Non-Political Programming"

For these guidelines, the following are considered news events and are not "political programming:"

- a. Meetings of and hearings before the Hamburg Township Board and Hamburg Township Planning Commission, Hamburg Zoning Board of Appeals; and any other Hamburg Township government committees and departments.
- b. Meetings of and hearings held by Livingston and Washtenaw County departments affecting Hamburg Township residents and property owners.
- c. Meetings of and hearings held by State of Michigan departments such as the Michigan Department of Natural Resources (MDNR), Michigan Department of Environment, Great Lakes and Energy(MEGLE), Michigan State Police(MSP)/Emergency Management, etc.

- d. Meetings held by Federal regional government agencies such as FEMA/NFIP, USCACE, and USGS for issues involving Hamburg Township residents and property owners.

iii. Right of Refusal

Hamburg Township reserves the right to refuse cable broadcasting of programs which may contain any of the following:

Unauthorized use of copyrighted material.
Violation of the State and Federal law regarding obscenity. No programming shall be accepted for governmental access if it contains obscene material, sexually explicit conduct or material soliciting or promoting unlawful conduct under Section 10(c) of the Cable Television Consumer Protection and Competition Act of 1992 ("Cable Act") as implemented by regulations of the FCC.
Advertising of a "lottery" as defined in 18 U.S.C. § 1304 and FCC regulation 47 C.F.R. § 213.
Unlawful invasion of privacy.
Material which is libelous, slanderous or defamatory.
Material which violates local, state or federal laws.
Any other material deemed inappropriate by the Hamburg Township Board of Trustees.

F. Preview of Programming

Any programming submitted by an eligible governmental entity for access shall be previewed by the Technical Services staff, or Township elected officials for acceptance. Such programming may be edited to conform to these guidelines, or the programming may be rejected. If concerns develop, the matter shall be referred to the Township Board for review.

G. Alphanumeric Bulletin Board

Messages programmed into the "Bulletin Board" shall be edited to provide clarity and to provide maximum use of the memory bank currently available. Message content generally will not be edited, but will not be inserted if inconsistent with these guidelines

H. Handling of Program Materials

i. Return of Refused Programming

Any programming submitted by an eligible entity for cable TV channel access that is not accepted will be returned.

ii. Program Retainage

Programming accepted for governmental access will be retained, including recordings of live programming, for the duration of the scheduled run of the programming, including repeat

exhibitions, and for any such period of time as may be applicable under the Township's policies for programming return, receipt and record retention.

iii. Program Copying

a. Subject to copyright and licensing considerations, programming shall be available to the public for copying one week after the last scheduled run. All requests for copies shall be made pursuant to FOIA requirements.

b. The cost for copies of programming shall be set by the Township Clerk according to the Township Schedule of Fees under FOIA.

c. Programming generated by entities other than Hamburg Township shall be obtained directly from that entity and not from Hamburg Township.

6.9(c)(4) Programming Schedules

A. Day to Day Management

i. Daily Schedule

Technical Services staff are responsible for scheduling. The day-to-day management of schedules shall be through the Technical Services office.

ii. Program Schedule

The program schedule, once publicized, generally will not be deviated from or added to except in the event of an emergency, as a result of technical difficulties or unavailability of the scheduled programming.

B. Scheduling priorities and guidelines

PRIORITY LEVEL	GUIDELINES
Level 1	Announcements concerning emergencies affecting health or safety or exigent circumstances may preempt at any time; weather bulletins; civil defense bulletins, etc.
Level 2	Special and regular meetings and hearings of the Township Board, Planning Commission, Zoning Board of Appeals, and other related boards and committees; election notices; election precinct workers' meetings notices; meetings of Livingston County of interest to

	Hamburg residents; requests for service workers; notices
Level 3	Other public meetings and public hearings; In-service use of government access channel capacity; Information programming, news, public interest; community activities (festivals and special events; senior citizens; parks and recreation programming, etc.);
Level 4	Educational programming; public safety programming; environmental programming; community access programming, adoptable pets from Livingston County Animal Control Shelter
Level 5	Database programming; internet generated programming; repeats of public meetings and hearings for time diversity; alphanumeric bulletin board messages

C. Live Programming Scheduling

- i. Programming of live scripts or concepts for such live programming must be submitted at least two (2) weeks in advance of the intended cablecast date to allow for scheduling, preparation, production, if any, and evaluation for consistency with these guidelines.
- ii. Emergency programming is not subject to this requirement.
- iii. All scripts shall be submitted to the Technical Services Department and a Production Proposal completed.

D. Community Bulletin Board Notices

"Bulletin Board" messages must be submitted to the Technical Services Department at least 72 hours prior to the intended insertion date except for special public announcements (such as emergency closings).

E. Scheduling Conflicts

- i. It is the Township's policy to cablecast all programming submitted by an eligible entity, subject to the priorities and guidelines herein. Scheduling requirements may, from time to time, preclude available cablecast time for all such programming for its intended cablecast date.
- ii. Technical Services staff shall use reasonable efforts to accommodate such programming and entity and to resolve potential scheduling conflicts.

F. Right of Scheduling Reservation Hamburg Township reserves the right to schedule the time in which a program will be cablecast.

G. Viewer Discretion Notification Programs which may not be suitable for viewing by children, or contain material which may be offensive to sensitive viewers, will carry the standard disclaimer at the head of the program:

"The following program contains material which may be offensive to some viewers and may be inappropriate for viewing by children. Viewer discretion is advised."

6.9(c)(5) Support for Access Programming - Underwriting

A. Franchise Fees

Channel 191 is presently maintained via franchise fees generated by cable TV subscribers to the Charter/Spectrum Cable TV Network in Hamburg Township as budgeted for pursuant to allocation by the Hamburg Township Board of Trustees.

B. Underwriting Contributions

Individuals or organizations that provide contributions to the Township or to a municipal instrumentality of the Township that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code to support governmental and community access or specific programming of a public interest may be identified by name and, if a business or organization, the display of their business or organization logo and tagline, consistent with Section 399B of the Communications Act of 1934, as amended, and FCC regulations (47 C.F.R. § 73.503(d)) and policies and guidelines governing the noncommercial, educational broadcast services with respect to so-called "underwriting announcements."

B. Underwriting Disclosures

The names, addresses and phone numbers of individuals and/or organizations providing funding for production of programming must be disclosed to the Technical Services Department and the same noted on the Production Proposal.

C. Underwriting Credits

i. Credit may appear at the beginning and/or end of the program identifying the underwriter. The display should be no longer than 10 seconds and the word "sponsor" cannot be used.

ii. The credit may include the words "This program made possible in part by ____" followed by the underwriter's name or logo. Such underwriting announcements or acknowledgments shall be for identification purposes only and shall not promote the contributor's products, services or company. Such announcements may not contain comparative or qualitative descriptions, price information, calls to action or inducements to buy, sell, rent or lease.

D. Underwriting Payments

All underwriting contribution funds shall be submitted to and paid to the Hamburg Township Treasurer with receipts provided for same.

6.9(c)(6) Video Products

A. Video Copies

i. Subject to copyright licensing requirements and FOIA requirements, copies of any available Township of Hamburg programs, including Township Board meetings, shall be provided to authorized Township employees or departments for official use only, free of charge, upon request.

ii. Copies of Township Board and other public meetings shall be provided to any citizen at cost (to include administrative and overhead) in accordance with the provisions of Schedule of Fees and Charges as set by the Technical Services Department in accordance with FOIA requirements.

iii. Simulcasting: Township meetings shall be simulcast via Livestream/Vimeo services software platform online and/or via Channel 191 on the Charter/Spectrum Cable TV network.

iv. Archiving/Video-On-Demand: Video recordings will be posted and made available to the public free of charge on the Livestream/Vimeo or other similar video-on-demand internet viewing service.

B. Videotape review

Video recordings will be posted and made available to the public free of charge on the Livestream/Vimeo or other similar video-on-demand internet viewing service. FOIA requests for video recordings transcribed to physical media such as DVDs or flash drives shall be directed in writing to the Hamburg Township Clerk.

C. Archives

i. It is the policy of the Township to maintain video tape archives of meetings of and hearings before the Township Board of Trustees, the Hamburg Planning Commission (when the Planning Commission proceedings are recorded), and the Hamburg Township Zoning Board of Appeals pursuant to Township record retention policy as administered by the Hamburg Township Clerk.

ii. Recording and record retention policies for all other meetings of and hearings before other eligible entities shall be arranged by such entity in a manner acceptable to the Township Clerk, who is the designated Keeper of the Records for Hamburg Township.

iii. All recording and record retention policies shall be handled pursuant to current FOIA regulations. Video recordings will be posted and made available to the public free of charge on the Livestream/Vimeo or other similar video-on-demand internet viewing service.

6.9(c)(7) Legal

A. Copyright and Trademark/Service Mark

i. Copyright Clearance

All programming accepted for governmental access cable broadcasting shall be cleared for copyright.

ii. Copyright Use Authorization

The eligible entity submitting the programming must have obtained and provided to the Technical Services Department a specific authorization from the copyright holder of the programming authorizing the "Township of Hamburg" to perform, edit and make ephemeral recordings of the work consistent with these guidelines.

iii. Personal Release

In the case of live programming or recorded programming produced for access hereunder that is not a public proceeding, permission or releases must be obtained from persons depicted therein to use their likenesses, including printed, recorded and photographed material. Written evidence of permission shall be submitted to the Technical Services Department at the time of submission of the programming request by the entity on the Production Proposal.

iv. Trademark Clearance

Any trademark or service mark, depicted or audible, in any programming accepted for governmental access shall be cleared in the same manner as for copyright.

B. Errors and Omissions

i. Warrant to Township

Eligible entities shall represent and warrant to the Township that they have all necessary copyright, trademark, service mark and likeness (i.e., invasion of privacy) permissions and authorizations for the Township to cablecast the submitted programming consistent with these guidelines and that such information or programming is not libelous, slanderous or defamatory and is otherwise consistent with these guidelines.

ii. Indemnification of Township

Such eligible entities shall indemnify and defend the Township against damages and loss, including reasonable attorney's fees, for any claims arising out of such representations and warranties. Such indemnification shall also extend to the cable operator to the extent it is not exempt from liability under the Cable Act or other applicable law. A copy of the certificate of copyright authorization is to be attached as part of the Production Proposal.

iii. Broadcasters' Liability Insurance

The Township may obtain appropriate "broadcasters' liability" insurance, in which case it may name such eligible entities as additional insureds and assess such entities, pro-rata, the premium amount of any such insurance.

iv. Township as Named Insured

Alternatively, any such eligible entity that has or obtains such insurance shall name the Township as an additional insured with respect to governmental access programming cablecast pursuant to these guidelines.

6.9(c)(8) Amendment and Repeal

The Hamburg Township Board of Trustees may from time to time amend or repeal these guidelines as it deems fit.

6.10 Tax and Assessment Information Policy

Hamburg Township office hours are Monday through Friday, 8 a.m. to 5 p.m. During these hours Assessing records are available for public inspection, unless an after hours' time is mutually agreed by Hamburg township staff and the individual requesting the records.

Residents, banks, mortgage companies and other entities requesting information regarding tax amounts, special assessment payment amounts, property record cards, valuation sheets, all available sale records, and maps can receive this information verbally and without cost on up to five parcels within a 24-hour period.

The public does not have unrestricted access to township offices, records or facilities. A person may be required to inspect records at a specific counter or table in the view of Township staff.

Records or files cannot be removed from the Township Offices.

Township officials assisting with the inspection of public records must inform any person inspecting records that only pencils, and no pens or ink may be used to take notes.

Special assessment payoff amounts will be provided in writing via fax or mail. No payoff amounts will be issued over the phone.

Individuals, corporations or entities requesting the following information on more than five (5) parcels (with the exception of special assessment payoff amount) must be done in writing.

- Tax Amounts for Specific Years
- Paid Status of Taxes

- Determination of Special Assessment Status
- Amounts of Annual Special Assessment Payments
- Assessing Information

May be required to do the following:

- Submit all Requests in Writing
- Receive all Responses in Writing Via Fax and Mail
- Pay a fee as established by the Township FOIA policy for each parcel on which information is requested. The fee is payable at the time of the request by check, money order, or cash.

(Adopted 5/27/97 – Amended 11/24/98 -Amended 2/3/15)

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