

Scott Andersen (Thu, 5 Mar 2020 at 12:37 PM)

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The Office of the Public Disclosure Commission,

Pursuant the Public Disclosure Commission complaint filed by Donald Williams on February 14, 2020 and assigned PDC Case Number 65295.

Please find the answers to the questions you raised below and bolded per your instructions.

We have also attached supplemental materials as noted in the Radio Board's answers to your request.

Respectfully,



*Scott
Ande
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City
Administ
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City of
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Answers to the Public Disclosure Commission Questions PDC Case Number 65295

Staffs review of the KOSW website indicated that you are governed by a four-member Board, with Butch Larsen and Trey Smith listed as Program and Operations Managers. Please respond in **BOLD** to following questions:

Describe the role of the Board, Mr. Larsen and Mr. Smith over the day-to-day operations of the radio station?

The Radio Board sets policy and oversees the routine station management activities provided by volunteer Mr. Larson and volunteer Mr. Smith. KOSW-LP is a volunteer FM radio station, with no paid employees. All participants in operating the station are volunteers only.

It appears the applications for the KOSW Board members is sent to the City of Ocean Shores, is that correct? **(Yes)**

What role, if any, does the City of Ocean Shores have concerning the station and its operations, and who at the city is involved with the station (i.e. - Mayor, City Manager or City Council members or city employees.

Please see the Amended Bylaws and Amended Charter (attached) and the Duties of the Radio Board: ORGANIZATION, second paragraph.

ARTICLE II – DUTIES

A. the Radio Board shall submit to the City each year, on or before Sept 1, a statement of current financial condition to include an estimated budget for the following calendar year. This report may include recommendations for service and facility development as well as requests for inclusion in the City of Ocean Shores budget.

B. The Board shall appoint (a) Station Manager(s), who shall report to the Board, and be responsible for the day-to-day operations of the Radio Station. Such appointments shall be approved with a majority vote of the Board. Appointees will serve a renewable one year term, commencing January 1 of each year. The Board will consider all candidates who may be nominated by others or self-nominated. Current station manager positions are: Station Manager/Programming and Station Manager, Operations.

C. The Station Manager(s) job performance will be reviewed at approximately 90 days from appointment and thereafter as deemed necessary by the Board.

D. If the Station Manager(s) position is vacated, either voluntarily or by Board majority, prior to the end of the term the Board will appoint interim management to serve until the regularly scheduled selection.

E. The Station Manager(s) is a non-voting, ex officio member of the Board. A Board member appointed as interim Station Manager may continue their Board position until the Station Manager selection.

What role, if any, did the emergency broadcast alert system for Tsunami warnings have in the licensing of the station to the city?

None. See FCC - EAS Requirements for LPFM Stations, attached. Note that KOSW-LP fully participates in the Emergency Alert System for Grays Harbor County.

Is the radio station similar to the concept of public access television?

No. KOSW-LP provides free 'Over the Air' transmission to the public. "Public Access Television" is subscription based and requires a paid cable TV service, such as Coast Communications in Ocean Shores, to receive their programming. [See FCC-USSC - Public Access TV is Actually Private, attached.]

Who is responsible for the content of the programming that appears on the station, in general, and specifically for the two DJ's listed in the complaint?

Each volunteer is responsible for their own program content, as long as it falls under the guidelines of the Volunteer Handbook. See KOSW-LP Ocean Shore Volunteer Handbook at cite: D. Programming/Broadcast Policies

How is KOSW funded?

KOSW-LP is NOT a 501(c)(3) entity. The City of Ocean Shores is licensee of KOSW-LP and funds the basic needs of the station. The balance needed to cover non-basic expenses are raised through underwriting, sponsorships and donations provided by local residents and local business entities.

Are there any agreements with on air personalities regarding content not allowed or policies adopted by the station or city?

Only to the extent that on-air volunteers are required to follow the guidelines in the Volunteer Handbook. Please see section D. PROGRAMMING/BROADCAST POLICIES.

If so, what types of content is not allowed?

Please see section D. PROGRAMMING/BROADCAST POLICIES.

Is there a normal program scheduled for political matters to be discussed?

No. Please see the Volunteer Handbook at section D. PROGRAMMING/BROADCAST POLICIES, section 2., paragraph B. Expressing Views and at C. Political Views.

If so, when? **N/A** Who runs this segment? **N/A** What can be discussed and what is not allowed? **PLEASE SEE SECTION D, Volunteer Policy Handbook**

Who were the DJs on February 6, 2020 that are featured in the sound clip referring to the Levy for the February 11, 2020 election, and what is the normal content of their program? (8:45am 2/6/20).

For the regularly scheduled 8AM to 10AM show on Thursday mornings, the main host "DJ" is volunteer Mr. Randall Daugherty. The temporary fill-in co-host "DJ" was volunteer Mr. Byron Canfield. The usual co-host for "Surf's Up Ocean Shores" is volunteer Mrs. Della Smith. Mrs. Smith was away for personal medical reasons. Mr. Canfield's off-the-cuff remark was inadvertent and unintentional. Mr. Canfield is currently suspended from his volunteer activities with KOSW-LP and is not expected to return as a volunteer "DJ" until early April-2020. The normal program content for "Surf's Up Ocean Shores" includes periods of music, interspersed with weather reports, topical local event news, general news stories,

historic Grays Harbor County news stories from early in the previous century, along with chatting about current events and public interest social activities in Ocean Shores.

AMENDED OCEAN SHORES RADIO BOARD BYLAWS

Authorized by Ocean Shores City Council on the 8th day of October 2018.

INTRODUCTION

The task of the Ocean Shores Radio Board (hereafter referred to as the "Radio Board" or "the Board") is to provide assistance in operating KOSW-LPFM the radio station licensed to the City of Ocean Shores, providing public service information, entertainment and educational opportunities to Ocean Shores' citizens and visitors.

ARTICLE I - RESPONSIBILITY

The Board shall carry out responsibilities designated by ordinance and other duties assigned by the City Council. The members of the Radio Board accept the responsibility of the office and declare their intention via approved application, to execute the duties under federal, state and municipal laws and regulations to the best of their ability.

ARTICLE II - DUTIES

A. the Radio Board shall submit to the City each year, on or before Sept 1, a statement of current financial condition to include an estimated budget for the following calendar year. This report may include recommendations for service and facility development as well as requests for inclusion in the City of Ocean Shores budget.

B. The Board shall appoint (a) Station Manager(s), who shall report to the Board, and be responsible for the day-to-day operations of the Radio Station. Such appointments shall be approved with a majority vote of the Board. Appointees will serve a renewable one year term, commencing January 1 of each year. The Board will consider all candidates who may be nominated by others or self-nominated. Current station manager positions are: Station Manager/Programming and Station Manager, Operations.

C. The Station Manager(s) job performance will be reviewed at approximately 90 days from appointment and thereafter as deemed necessary by the Board.

D. If the Station Manager(s) position is vacated, either voluntarily or by Board majority, prior to the end of the term the Board will appoint interim management to serve until the regularly scheduled selection.

E. The Station Manager(s) is a non-voting, ex officio member of the Board. A Board member appointed as interim Station Manager may continue their Board position until the Station Manager selection.

F. The Radio Board shall set and approve all station policy for implementation by the Station Manager(s).

ARTICLE III – ORGANIZATION OF THE RADIO BOARD

A. The Radio Board shall consist of five members.

B. Officers of the Board shall be Chairperson, Secretary and Treasurer.

C. Officers shall be elected by a majority of the Board members at the regular meeting in June of each year, or as soon thereafter as feasible. A quorum must be present to elect Board Officers.

D. If an officer position is vacated prior to the end of the term, the Board shall elect an interim officer to serve until the regularly scheduled election.

E. In the absence of the Chairperson, the Secretary shall conduct meetings.

F. If the Secretary or Treasurer is absent a pro tem shall be elected informally by the members present for that meeting.

G. The Chairperson shall preside at all Board meetings and have the powers generally assigned such office in conducting meetings.

H. It shall be the Chairperson's duty to see that the transaction of Board business be in accord with these bylaws.

I. The Board, by simple majority vote of those present may create special committees and assign one and no more than two members to such committees.

J. If a Board member has more than three total unapproved absences from regularly scheduled meetings in a calendar year, the Board Chairperson shall inform the Mayor, or designee, for replacement of said Board position.

K. No person shall hold the office of member of the Radio Board unless that person is a resident of the City of Ocean Shores. If a member of the Radio Board ceases to be a resident of the city, the seat must be vacated.

L. A quorum is a simple majority of the Radio Board.

ARTICLE IV. - MEETINGS

A. The Radio Board shall determine a regular meeting time (time, place and frequency) as necessary for its meetings.

B. All meetings of the Board shall be open to the public.

C. Executive sessions of the Radio Board may be held only with prior City Council approval and in accord with the requirements imposed by RCW 42.30.110 and 42.30.140.

D. To conduct official Radio Board business, a quorum must be present. If no quorum exists, no official action can be taken.

E. All meetings of the Radio Board shall be governed by these bylaws. Where the bylaws do not state otherwise, the parliamentary rules and procedures contained in the current edition of Robert's Rules of Order shall apply.

F. To the extent it does not violate public notice requirements; the printed agenda of a regular meeting may be modified, supplemented and revised at the beginning of a meeting by the affirmative vote of the majority of Board Members present.

G. The Radio Board may devote a portion of a meeting to an informal study session during which no comments from the public will be permitted, unless the Chairperson or a majority, on a case by case basis, decides otherwise.

H. The Radio Board shall hear no new agenda items beyond 3 hours from the start of the meeting unless a majority of the Board members present should decide otherwise.

I. The Radio Board Secretary or designee will be responsible for the written recording of all Radio Board meetings. All minutes will be forwarded to the Ocean Shores City Clerk and be made part of the permanent record.

J. The Radio Board Treasurer or designee will be responsible for written recording of all financial transactions approved by the Board, as well as funds received, consistent with city financial auditing and accountability standards required by statute.

ARTICLE V. CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS

Any member of the Radio Board who in his or her opinion has an interest in any matter before the Board that would prejudice his or her actions shall so publicly indicate and shall step down and refrain from any manner of participation and/or voting with respect to the matter in question so as to avoid any possible conflict of interest or violation of the appearance of fairness.

ARTICLE VI. AGENDA

A. The preparation of the agenda will be the duty of the Board Secretary and he or she will coordinate the preparation with the Chairperson.

B. The agenda may be divided into sections and continue until subsequent meetings when it is apparent one meeting will not be sufficient to complete scheduled business.

C. Copies of the Agenda will be available to all Board members via email at least 4 days prior to a regular meeting date.

D. The Agenda will indicate whether the Board intends to take formal action on a particular matter.

E. The Board may conduct special planning sessions and public hearings and shall give public notice, as required.

F. The Board may continue a public hearing to a future date only for the purpose of accepting new written or oral testimony solely from anyone who had signed up to speak on the original hearing date but did not have the opportunity to testify. A continued public hearing does not require a new public notice.

G. The Agenda shall be confirmed at the beginning of each meeting.

ARTICLE VII. STUDY SESSIONS

A. Some of the Board's work will be conducted at informal study sessions. The Board shall consider information and recommendations from staff and ex officio members, but shall not take comments from the public during study sessions unless the Chairperson or a majority, on a case by case basis decides otherwise.

B. No action shall be considered by the Board at the study sessions.

C. Members of the public attending study sessions may speak only if acknowledged beforehand by the Chairperson.

ARTICLE VIII. PUBLIC COMMENT

A. Public Hearings may be held in addition to regular meetings. Public Hearings and notices shall be held and issued in conformance with the City of Ocean Shores Municipal Code and applicable statutes of the State of Washington.

B. Each speaker during a Public Hearing is limited to three minutes speaking time. If a speaker is representing an organization, that speaker may be granted up to five (5) minutes speaking time, at the Board's sole option.

C. Anyone wishing to speak at a Public Hearing should be signed in on the sheet provided at the entrance to the hearing.

D. If audience dialogue or an individual speaker or speakers become disruptive,

the Chairperson may recess the meeting or request that the meeting be adjourned.

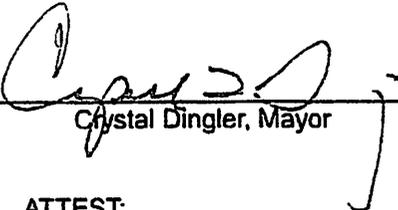
E. To communicate with the Board on a matter not scheduled for public hearing, the public may write a letter and/or speak during the portion of each regular meeting entitled 'Public Comments'.

ARTICLE IX. AMENDING BYLAWS

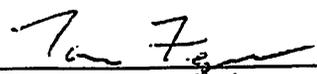
A. The Radio Board may amend these bylaws at any regularly scheduled meeting.

B. The Ocean Shores City Council must approve all amendments.

PASSED AND ADOPTED this 8th day of October, 2018.

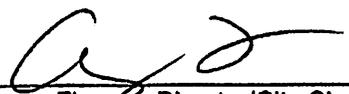


Crystal Dingler, Mayor



Tom Ferguson, Chairperson

ATTEST:



Angela Folkers, Finance Director/City Clerk

AMENDED OCEAN SHORES RADIO BOARD CHARTER

Authorized by Ocean Shores City Council on the 12th day of July 2010

INTRODUCTION

The City of Ocean Shores (hereinafter referred to as the "City"), wishes to establish a citizen's board to assist the City in creating and operating a public radio station for the City of Ocean Shores (hereinafter referred to as the "Radio Station"). To achieve this necessary and appropriate activity, the City Council of the City of Ocean Shores, Washington hereby adopts this Charter to establish an Ocean Shores Radio Board (hereinafter referred to as the "Radio Board").

MISSION AND PURPOSE

The mission of the Ocean Shores Radio Board is to provide assistance to the Mayor or designee in establishing and operating a public radio station for the City of Ocean Shores, in order to provide entertainment, educational opportunities, and public service information to Ocean Shores citizens and visitors.

ORGANIZATION

The Radio Board shall be composed of five (5) members, who shall be unpaid volunteers. Said members shall be knowledgeable about federal, state, and local regulations relating to the operation of public radio stations, and other applicable codes, and shall have the mechanical expertise necessary to competently perform the duties required of a Radio Board member. No voting member of the Radio Board shall be an employee of the City of Ocean Shores.

The members of the Radio Board may be self-nominated, or nominated by others. All nominees shall be screened by a selection committee composed of the Mayor or designee, and a Department Head designated by the Mayor. Appointments shall be made by the Mayor pursuant to Ocean Shores Municipal Code Chapter 2.62, and confirmed by the City Council. Members may be removed by simple majority vote of the City Council.

The Chairperson of the Radio Board shall be selected from among the committee's membership for a one (1) year term, to end on June 30th of each year. The City Council Liaison shall be an *ex-officio* Board member. The Mayor or designee shall assist the Radio Board as necessary, and shall act as the liaison between the Radio Board and City government.

Volunteers selected to serve on the Radio Board shall serve a term of three (3) years, and are subject to reappointment. Vacancies occurring in the membership of the Radio Board shall be filled in the same manner as regular appointments. During the initial Board appointment

process, appointments shall be made so that two (2) Board members shall serve for one (1) year, two (2) Board members shall serve for two (2) years, and three (3) Board members shall serve for three (3) years. As each of these initial Board terms is completed, the newly appointed Board member shall serve a term of three (3) years. All terms of office shall end on June 30th of the year of expiration.

The Radio Board may create subcommittees and/or appoint ad-hoc working committees, which may include non-members of the Radio Board, to aid in study and/or discussion involving matters related to the operation and maintenance of the Radio Station. The Radio Board may, with the prior written approval of the Mayor or designee, consult experts as necessary to assist in its duties pursuant to this Charter.

POWERS AND RESPONSIBILITIES

The Radio Board shall:

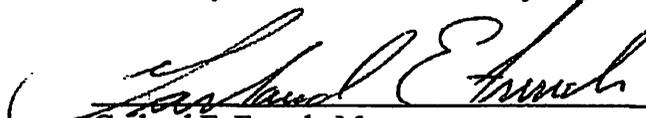
- Be guided by state law and city code to establish its rules of operation.
- Develop and maintain Bylaws and policies and procedures for the Board.
- Develop and maintain policies and procedures, including hours of operation, and facility operation and maintenance of the radio station, in a manner which results in no un-approved costs to the City.
- Establish schedules of the time and place of meetings, and the secretary shall publish notices of the same. All meetings of the Board shall be open and public.
- Support city staff in meetings and coordination with citizens, state agencies, and other local governments.
- Promote the radio station as an asset to the City.
- Do what is necessary to meet the Radio Board's mission and purpose.

OVERSIGHT

Oversight for the Radio Board shall be provided by the Ocean Shores City Council. All Radio Board members shall hold office at the pleasure of the Ocean Shores City Council.

COUNCIL ACTION

This Amended Charter amends the previous Charter dated December 10, 2007 and is adopted pursuant to vote of the City Council of the City of Ocean Shores on July 12, 2010.


Garland E. French, Mayor

ATTEST:


Diane J. Foss, CMC City Clerk

APPROVED AS TO FORM:


Arthur A. Blauvelt III, City Attorney



Ocean Shores, WA

Volunteer Handbook

Revised: 2/15/2020

Welcome to KOSW-LP - Ocean Shores' own All-Volunteer Community Radio Station

Whether you have previous exposure to the world of broadcasting, or are completely new to the concept, we hope that your experience as a volunteer member of the KOSW Radio Team will be rewarding.

We are a nonprofit station, licensed by the Federal Communications Commission as a low-power (100 watt) FM station with an assigned frequency of 91.3 MHz (megahertz). Our license is held by the city of Ocean Shores.

Our mission is informing and entertaining the members of our community, Ocean Shores and the North Beach area. Most important is our role as the emergency communications lifeline for this area in the event of a large scale disaster or emergency. We also are the official local Emergency Alert System broadcaster, airing all emergency information as required by our licensing.

Beyond emergency communication, our mission of informing our community means we broadcast local news, weather, events, etc. We especially want to inform the community of events and activities involving any of the numerous clubs and organizations in our area. Our DJs are expected to support the informational aspect of our mission by reading Public Service Announcements (PSAs) and by airing prerecorded weather and other announcements. When we do live remote broadcasts, such as Ocean Shores Convention Center events, our DJs may be asked to do their shows from the remote location.

KOSW's mission is also to provide entertainment for our community and that is the typical content of most DJs' shows. Doing a weekly on-air show means making a serious commitment of your time and energy to serve our community. But most KOSW DJs also find that hosting their own shows can be a whole lot of fun! While there are some rules within which all DJs MUST adhere to, we want you to be as creative and imaginative as you like, and most of all HAVE FUN! Our listeners can tell; when we have fun on the air, they have fun and listen more!

KOSW STATION RULES

A. LEGAL

The KOSW Radio studio is located on City of Ocean Shores property. All ordinances and rules, etc. governing city property apply to our location.

1. No smoking within 25 feet of the building. Any smoking must be done OUTSIDE of the gate.
2. No alcohol or other intoxicants are allowed in the station or on City property.
3. No weapons (firearms, knives, etc.) are allowed in the station or on City property.
4. The relevant policies and procedures adopted by the City of Ocean Shores apply to KOSW staff as well. This includes all aspects of common business practices regarding non-discrimination, harassment and equal opportunity. At no time is any volunteer to deny access of station facilities to other authorized personnel.
5. As a KOSW volunteer, you not only represent the radio station, you are also a representative of the city of Ocean Shores. All volunteers shall not, either while performing duties for the station, or in their private life, commit any act or do anything which might tend to bring about public disrepute, contempt, scandal, ridicule, or which might tend to reflect unfavorably on the station, any of the station supporters, or the City of Ocean Shores.

B. SAFETY & EMERGENCY PROCEDURES

1. Report unsafe conditions, injuries or equipment breakdowns immediately to station management.
2. In the case of injury, a First Aid kit is located in the bathroom in the top drawer of the sink vanity. Again, report any injuries to Station Management so the First Aid kit can be re-stocked and any cause(s) of injuries can be remedied. Call 9-1-1 in the event of injury which requires more attention.
3. In case of fire, the fire extinguisher is mounted on the wall directly opposite of the

entry door. Call 9-1-1 first, before trying to extinguish any fire, if at all possible. Should any fire be possibly electrical, in nature, attempt to shut off the power at the circuit breaker panel (located on the north wall, near the west end) if it's safe to do so.

4. The Emergency Alert System (EAS located under the broadcast table in the equipment rack) will test itself at least on a weekly & monthly basis, at random days and times and will automatically cut into your broadcast. This system is automated all alerts, and tests will interrupt your show and will return to your program in progress when completed.

Amber Alerts do not have to be announced, but may be, if you choose to do so.

5. In the event of other problems or if you have any questions, all emergency and management contact numbers along with information on how to solve issues you may encounter with the broadcast system. Please write these numbers down for your own personal reference when away from the station and need to call to have any of your questions answered.

C. BASIC RULES

1. All volunteers are encouraged to attend at least one Radio Board Meeting in each calendar year. You are invited and encouraged to attend as many additional Board meetings as you wish. Even if you are not a Board Member, your attendance can help keep you informed of new/revised station policies and procedures along with any ideas currently being considered. Your input as a 'guest' can help get your ideas on the agenda for discussion and possible implementation.

2. Use of station computers for personal use is forbidden, except for the non-broadcast computer on the DJ console. Its use is to be limited to station-related activities, such as communicating with your listeners and researching information about content being presented during your show. At no time is any content to be copied, downloaded and/ or installed to any of the station's computers. Please note: ALL broadcast material that you provide MUST be checked for viruses, malware, etc. and be checked and or processed for proper tagging and volume-leveling by a management staff member

before it can be copied to the broadcast computer. Such material needs to be submitted early enough to allow ample time for processing - 24 hours in advance of when the content is to be used is requested.

3. While it is allowed to use, laptops and other portable devices for playing your music or other content for airing, keep in mind that use of any portable device is subject to approval by Station Management, as we do not wish to broadcast poor quality audio.

4. If you are unable to make it for your scheduled air time, you must give advance notice by directly contacting someone in Station Management. Leaving a message on the station's answering machine is not considered advance notice, as there may not be anybody available to retrieve messages before your air time. Please call station management on their cell/home phones or you may email station management and notify them of your absence.

You may arrange for another KOSW DJ to cover your time. This also requires notification of Station Management in advance. If you do not make arrangements for your air time to be covered, and notify Station Management, then we may ask another DJ to fill in for the day and time that you will miss. This also applies to instances when you may be ill. With such close quarters in our station, we cannot risk having our limited staff of volunteers becoming infected by persons who are sick — Call in, stay home and get well.

5. You **MUST** sign in upon arrival and sign out at the time of departure. This is a requirement of the FCC regulations.

6. Beverages are not to be placed on any electronic equipment and should otherwise be in close-able containers to avoid damage to electronic equipment in case of a spill.

7. Please clean up after yourself and take your trash with you. We often have guests and visitors, so it is up to each of us to maintain the station in presentable condition. We do not employ house keeping so it the responsibility of all radio personnel to help in keeping our station clean and presentable.

8. Your guests are welcome during your show, but please remember that bringing guests to the station is a privilege. Guests are not allowed to operate or make any changes to station equipment. All guests must abide by all the rules, and you are responsible for them and everything they say and do. Please exercise good judgment.

D. PROGRAMMING/BROADCAST POLICIES

Preface: As the City of Ocean Shores owns our FCC license and the station is dependent on support from our businesses and residents, our conduct and content reflects upon our community. What we do, what we say and what we play has a direct impact on how we are viewed as an asset to the City and affects the amount of respect and support we receive from those who donate toward our efforts.

1. In compliance with broadcasting copyright laws, KOSW is licensed through ASCAP, BMI and SESAC to broadcast content listed in their repertoires. These searchable listings are updated on a regular basis and available to anyone by visiting their respective websites. We are also licensed to stream our broadcasts via the internet. This license has additional regulations, over and above those for local air wave broadcasting, which are posted on the information bulletin board.

As we continue to ensure the content in the station's music library meets the requirements of these agencies, it is the responsibility of each DJ to insure that personally-provided content they broadcast adheres to all applicable copyright laws and licensing restrictions. For content NOT listed in these repertoires, the individual DJ must have written authorization from the owner/copyright holder (a copy of which is to be provided to station) prior to airing the content. By airing personally-provided content, the DJ assumes personal liability for any repercussions resulting from violations of this policy.

2. All DJs are allowed and encouraged to broadcast content of their choice with the following exceptions:

A. **No sexually explicit or obscene language content.** You MUST review your content prior to airing. Material played over the air needs to follow all FCC rules except where City Regulations are required. In no way is there any form of the word F*ck ever to be played on the air. The City has okay-ed any material being played over a commercial AM/FM radio station.

B. **Expressing Views.** If you are expressing a personal view on a subject, you need to announce that this is your personal view and not that of KOSW or the City of Ocean Shores. Any negativity expressed over the air about KOSW will not be tolerated, if you have a grievance the station has proper procedures to follow, see section **E** **Grounds**

for dismissal.

C. **Political Views.** No partisan (showing support for either candidate or initiatives) political discussions. You may reasonably voice your opinion on political topics and topics of local or general interest and you may have guests who do the same. However, you **MUST** state that it is your own opinion (or the guest's opinion) and does not represent The City of Ocean Shores, KOSW, Station Management, or anyone else other than yourself (or the guest). You must also offer the opportunity for anyone with a differing opinion to come on your show and air their opinion in a reasonable manner. The City of Ocean Shores has certain regulations on this please contact management before you engage for approval.

D. **No religious programming.** Reading of per-approved Public Service Announcements (PSAs) that inform the community of events at local churches or venues sponsored by local religious group is allowed.

E. **NO ADVERTISING.** As the station is licensed as a non-commercial broadcaster, we are not allowed to directly advertise any business or person with messages that mention price (except for charitable donation events) or mention a 'call-to-action' ('Drop by', 'Stop in', 'Come see us', etc.).

F. **NO 'PAYOLA' or 'PLUGOLA'.** Accepting money, gifts or other 'favors' as trade for playing or promoting any artist or copyrighted works is forbidden. You can certainly play whichever artists you wish (subject to the guidelines in this handbook and any further guidelines that may come about from time to time); you simply cannot accept compensation for playing or promoting them on the air. Direct any inquiries for artist and/or works promotion to Station Management.

G. **The use of Last Names.** KOSW is restricted from using last names over the air Except:

1. When expressed permission is given by the listener
2. Entering a contest the last name may use for purpose of the specific contest.
3. Agreeing to be a guest on the radio the last name may be use during the show and promotions leading up to the show.
4. The Community Bulletin Board: each person must give permission for their own last

name — example John Doe cannot call and ask us to say "Happy Birthday to Jane Doe. We can say "Happy Birthday Jane from John Doe", or "Happy Birthday to Jane D from John (you can use John's last name if he desires).

H. NO 'RE-STREAMING'. Websites such as YouTube, Vimeo, Soundcloud, Spotify, etc., have content posted specifically for the public's PERSONAL viewing and/or listening experience, but not for BROADCASTING their content over the airwaves and internet.

I. Each volunteer is required in helping to maintaining our station cleanliness and appearance by helping out with housekeeping, and or landscape maintenance (garbage, vacuuming, dusting, restroom, weeding, mowing, etc.).

J. Each volunteer is required to participate in at least two major fund raising activities a year.

K. Each volunteer is required to participate in at least two remotes a year either at the event or tending the station.

E. GROUNDS FOR DISMISSAL

1. Failure to follow the above rules.
2. Repeated failure to make your scheduled show start time without having given reasonable advance notice.
3. Removal of anything from the studio without specific permission from Station Management. This includes any 'borrowing' of station CDs.
4. Showing up at the station to do your show while under the influence of alcohol or other controlled substances to the extent that you are intoxicated or cannot conduct yourself or your show properly.
5. Consumption of any intoxicants in the radio station or while on City property.
6. Repeated refusal to treat other DJs, KOSW personnel and guests with courtesy and respect.

The Station Manager is authorized to suspend or terminate volunteers for violations of Federal, State, and City laws and ordinances, station rules, programming /

broadcast polices and other actions which could prove to cause any liability for the station and/or City of Ocean Shores. The length of suspension and any requirements allowing for reinstatement is at the discretion of the Station Manager. Volunteers who are placed on suspension or have been dismissed and wish to appeal any such action may do so by submitting their grievance, in writing, at least twenty-four hours in advance of, and appearing before the Radio Board at, the next regularly scheduled meeting.

Grievances: If a volunteer has a grievance about another volunteer or management, first fill out a grievance form and turn it into the Station Manager. The Station Manager will set an appointment with the volunteer to attempt to resolve the grievance. If the Station manager fails to solve the grievance to the satisfaction of the volunteer, the Station Manager will file the grievance with the KOSW Board of Directors to add to the next regular meetings agenda.

Grievance forms are available upon request from station management.

F. EQUIPMENT OPERATION

1. During your training, you'll be given instruction on how to operate the various components and software programs used in all aspects of broadcasting from KOSW. Basically, the audio source options are:

A. Computer-based library of MP3 audio tracks, used in conjunction with broadcasting/ automation software programs. We currently use "Zara 3" a free version of Zara Radio" is available as a download (for Windows Operating Systems only). You are encouraged to download and install the program on your personal PC to help familiarize yourself with the various functions of the program.

B. Auxiliary 1/8" (3.5mm) stereo input jack for portable devices. If adapters are necessary to enable your particular device for this input, you may need to supply your own.

C. The audio SOURCES listed above, along with individual microphone inputs, supply input to the mixer. The mixed audio is sent to the local airwaves and back to the computer as the output to our direct internet streaming channels. A detailed diagram,

with fader and level monitoring information is posted on the board directly behind the DJ console.

Content played from sources other than the station's computer library will likely require manual entry of the track information in order to be in compliance with internet streaming regulations. Minimally, this will include the track's title, name of the artist, Album's title, and the record label name.

KOSW often broadcasts from remote locations, covering and promoting various civic and community functions, including Convention Center events, parades, and high school sports activities. These remotes broadcasts help to promote our station, community and City while giving our listeners and visitors the opportunity to put a face to the voice. All volunteers are encouraged to participate in these remotes and learn how to set up and perform them yourself - it's a Fun way of getting more listeners to learn about our station and our personalities!

The quality and consistency of our broadcasts (and the satisfaction of our listeners) depends solely on our DJ's being attentive and their ability to properly operate the equipment. While it may seem a bit daunting at first, with some helpful guidance and practice, you'll find it actually to be very simple and very rewarding. If, at any time, you have questions about the operation of the equipment and/or programs, please don't hesitate to ask. The same applies should you have any suggestions on how our broadcasts can be improved. Please speak up. We are in the communications 'business' and we depend on honest, open communication with each other to be better informed and to get better at what we do

Scheduling Guest: When Scheduling guests for your show,1010 first you need to:

1. All guest shall be approved by radio management before finalizing the date and time.
2. Approved guest shall be either a public official, or represent an organization / association.
3. Need to make sure that the guest has a topic of discussion.
4. Exceptions to this are if you want to have a friend or relative to sit in during your show, if your guest is to participate in your show please follow steps 1 and 3.
- 5.

Welcome to KOSW-LP 91.3FM!

I HAVE READ AND UNDERSTAND THE
RULES OF THE KOSW RADIO VOLUNTEER
HANDBOOK

Signature:

Underwriting for LPFM Stations

LPFM stations fall under the Non-commercial FCC rules.

Listed below are the differences between underwriting and commercials.

The FCC states that an LPFM station CANNOT do the following:

- 1.) Provide PRICING information. this includes any indication of savings or values, or any interest rate information associated with any product or service.**
- 2.) Mention any inducements to BUY, SELL or LEASE.**
- 3.) Give a 'CALL TO ACTION'. This means mentioning, "STOP BY", "CALL", "VISIT", "COME", "DROP BY", or any other similar verbiage.**
- 4.) Not use words that would be considered QUALITATIVE and/or COMPARATIVE, i.e: "EFFICIENT", "DEPENDABLE", "ECONOMICAL", "PROMPT", "FAIR", "EXCELLENT", etc.**
- 5.) Excessive use of the sponsor's name*.**
- 6.) Interrupt program to mention sponsor. It is recommended to mention the sponsor at the beginning and end of the program only.**

***Exception: Fund Raisers that promote program-related materials being sold, PROVIDED the sponsor is clearly identified.**

We ARE ALLOWED to use the following:

- 1.) Logos, slogans or other items that IDENTIFY, but NOT PROMOTE**
- 2.) Location, phone numbers and addresses.**
- 3.) Descriptions that are considered VALUE NEUTRAL.**
- 4.) Trade names, product listings and service listings.**

The use of last names On Air

1. The restrictions on using last names on the air:

Except when express permission is given by a listener, no listener's last name may be used on the air. Examples:

a. Entering a contest — the last name may be used for purposes of the specific contest only.

b. Agreeing to be a guest on the radio — the last name may be used during the show and in promotions leading up to the show.

c. Note — for the Community Bulletin Board — each person must give permission for their own last name for example, John Doe cannot call and ask us to say happy birthday to Jane Doe. We can say "Happy Birthday to Jane, from John Doe", or %Happy Birthday to Jane D from John (you can use John's last name if he desires).

Explicated Language On Air

Material played over the air needs to follow all FCC rules except where City Regulations are required. In no way is there any form of the word FK ever to be played on the air. The City okays**

any material being played over a commercial AM/FM radio station.

Expressing Views

If you are expressing a personal view on a subject you need to announce that this is your personal view and not that of KOSW or the City of Ocean Shores.

Any negativity expressed over the air about KOSW will not be tolerated, if you have a grievance the station has proper procedures to follow, see the Volunteer Handbook for more details.

Political Views

The City of Ocean Shores has certain regulations on this please contact management before you engage for approval

Emergency On-Air Procedures:

Deejay's Responsibility: .

Weather Watch: Read the National Weather Service report a couple times an hour.

Weather Advisory: When a weather watch gets elevated to an Advisory contact station management continue to broadcast the National Weather Service reports. Continue with your regular programming. Butch @ 360 310 3928 or Trey@ 360 289 0489

Weather Warning: When a weather watch is elevated to a WARNING the station will suspend normal broadcasting. The station will continue to broadcast music if applicable along with pre-recording weather information, along with weather related reports provided by the emergency team.

DO NOT AD-LIB WEATHER RELATED REPORTING STAY TO THE NATIONAL WEATHER SERVICE OR EMERGENCY TEAM REPORTS.

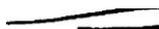
Emergency Team Responsibility:

Management personnel will be called in as soon as the weather is elevated to an Advisory.

When the weather is elevated to a WARNING, management will contact the emergency team and advise them on the conditions and have them on stand by.

The Emergency team will be monitoring the weather and handing printed reports to the Deejay on duty to read to the public. The frequency of the reports will be determined by the emergency personnel on duty. These updates may be read as every 15 minutes or as required by the severity of the event. There may be a time when we will need to suspend all music and stay to reporting on the storm issues. There are nine pre-recorded emergency notifications at the bottom of the Zara Studio page, please play the notification corresponding to the emergency. They are as follows:

1. **Information Alert Intro**: This simply-announces a KOSW Information Alert. Use it to introduce some emergency info or breaking local news that is not covered under weather or power intros.
2. **Weather Alert Intro**: Use each time to introduce your live read of an NWS weather watch.
3. **Severe Weather Intro**: Use each time to introduce live read of an NWS severe weather warning.
4. **Outro Alert**: This is an "outro" to be played each time immediately after your live read of an NWS weather watch, alert, or warning.
5. **PUD Outage**: This is used to introduce reports and updates for power outages in our listening area.
6. **Outro Outage**: This outro is used immediately following a live report of the power outage.



7. **PUD Prep:** A set of suggestions for preparing for a power outage.
8. **PUD Safety:** This is one of two pre-recorded announcements that are to be played as above when there are power outages.
9. **Power Goes Off:** The second of two pre-recorded announcements that are to be played during power outages and as above

Live, on air, you should read the relevant information either from the current NWS message found on Weather Underground, or from the info on the station's Emergency Information Clipboard, or instructed by a KOSW Emergency Team Member.

EAS requirements for LPFM stations

Low Power FM (LPFM) stations are exempt from the requirement to purchase an Emergency Alert System (EAS) encoder but may do so on a voluntary basis. All the other rules apply. Analog and digital class D non-commercial educational FM stations, and analog and digital LPTV stations are also exempt from the requirement to install an encoder [[§11.11\(b\)](#) and [§11.51\(e\)](#)].

These are the FCC requirements for decoder-only stations:

- Install an EAS decoder and ensure it is available when the station is in operation [[§11.35\(a\)](#)]. The decoder must monitor two sources specified in the state EAS plan [[§11.52\(d\)\(1\)](#)]. The decoder also must be capable of receiving Common Alert Protocol (CAP) messages from IPAWS [[§11.52\(d\)\(2\)](#) and [§11.56\(a\)\(2\)](#)].
- Provide a copy of the *EAS Operating Handbook* at normal duty positions or EAS equipment locations when an operator is required to be on duty [[§11.15](#)].
- Upon receipt of the Required Monthly Test (RMT), read or play on the air, *This is a Required Monthly Test...*, using the appropriate script for your area as found in the State EAS Plan. [[§11.61\(a\)\(1\)\(i\)](#)]. All actions must be logged [[§11.51\(m\)\(2\)](#)]. The delay time for an RMT message may not exceed 60 minutes [[§11.51\(n\)](#)].
- Log receipt of Required Weekly Tests in the station log [[§11.61\(a\)\(2\)\(ii\)](#)].
- Interrupt normal programming when they receive an EAS message in which the header code contains the Event codes for Emergency Action Notification (EAN), the National Periodic Test (NPT), or the Required Monthly Test (RMT) for their State or State/county location and retransmit the EAS message [[§11.52\(e\)](#)]. Log the time of receipt in the station log [[§11.54\(a\)\(3\)](#)].
- Determine the cause of any failure to receive the Required Monthly Tests or Required Weekly Tests. Make an entry in the station log indicating reasons why any tests were not received [[§11.35\(a\)](#)].
- If EAS equipment becomes defective, the station must log the date and time that the equipment was removed from service and when it was restored. The required monthly test script must be transmitted even though the equipment is not functioning [[§11.35\(b\)](#)]. If repair or replacement is not completed within 60 days, an informal request must be submitted to the local FCC field office for additional time [[§11.35\(c\)](#)].
- Register in the FCC EAS Test Reporting System (ETRS) and provide data regarding their participation in National Tests [[§11.61\(a\)\(3\)\(iv\)](#)]

The numbers in square brackets above refer to the section of the FCC rules. Links open in a new window.

- Rules may be adopted for allocating time among competing applicants on a reasonable basis other than the content of their programming.
- Minimum production standards may be required.
- Users may be required to undergo training.

Federal law permitted a cable operator to prohibit the use of a PEG channel for programming that contains obscene material, sexually explicit conduct, indecency, nudity, or material soliciting or promoting unlawful conduct. However, the U.S. Supreme Court determined that this law was unconstitutional. Therefore, cable operators may not control the content of programming on public access channels with the exception that the cable operator may refuse to transmit a public access program, or a portion of the program, which the cable operator reasonably believes contains obscenity.

PEG channel capacity that is not in use for its designated purpose may, with the franchising authority's permission, be used by the cable operator to provide other cable services. Franchising authorities are directed by federal law to prescribe rules governing when this use is permitted.

For additional information

Any questions or comments about PEG channels on a particular system should be directed to the cable operator or the local franchising authority, and not to the Federal Communications Commission. The name and telephone number of your franchising authority should appear on your cable bill, or should be available through your cable operator. With very limited exceptions, the Federal Communications Commission is not responsible for enforcing the federal statute governing PEG channels.

- FCC -

For more information pertaining to the Media Bureau, please call: (202) 418-7200.

[FCC \(/\)> Media Bureau \(/media-bureau\)](#)

Bureau/Office:

[Media \(https://www.fcc.gov/media\)](https://www.fcc.gov/media)

Tags:

[Cable Television \(/tags/cable-television\)](#) - [Indecent Programming \(/tags/indecnt-programming-0\)](#) - [Television \(/tags/television\)](#)

Updated:

Wednesday, December 9, 2015



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Public, Educational, and Governmental Access Channels ("PEG Channels")

Pursuant to Section 611 of the Communications Act, local franchising authorities may require cable operators to set aside channels for public, educational, or governmental ("PEG") use.

Public access channels are available for use by the general public. They are usually administered either by the cable operator or by a third party designated by the franchising authority.

Educational access channels are used by educational institutions for educational programming. Time on these channels is typically allocated among local schools, colleges and universities by either the franchising authority or the cable operator.

Governmental access channels are used for programming by local governments. In most jurisdictions, the local governments directly controls these channels.

PEG channels are not mandated by federal law, rather they are a right given to the franchising authority, which it may choose to exercise. The decision whether to require the cable operator to carry PEG channels is up to the local franchising authority. If the franchise authority does require PEG channels, that requirement will be set out in the franchise agreement between the franchising authority and the cable operator.

Franchising authorities may also require cable operators to set aside channels for educational or governmental use on institutional networks, i.e., channels that are generally available only to institutions such as schools, libraries, or government offices.

Franchising authorities may require cable operators to provide services, facilities, or equipment for the use of PEG channels.

In accordance with applicable franchise agreements, local franchising authorities or cable operators may adopt on their own, non-content-based rules governing the use of PEG channels. For example:



United States of America
FEDERAL COMMUNICATIONS COMMISSION
LOW POWER FM STATION LICENSE

Authorizing Official:

Official Mailing Address:

CITY OF OCEAN SHORES
P.O. BOX 909
OCEAN SHORES WA 98569

Nazifa_Sawez
Assistant Chief
Audio Division
Media Bureau

Grant Date: August 16, 2019

Facility Id: 134605

Call Sign: KOSW-LP

This license expires 3:00 a.m.
local time, February 01, 2022.

License File Number: BLL-20190813ABM

This license covers permit no.: BPL-20181003AIN

Subject to the provisions of the Communications Act of 1934, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus herein described.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

Name of Licensee: CITY OF OCEAN SHORES

Station Location: WA-OCEAN SHORES

Frequency (MHz): 91.3

Channel: 217

Class: LP100

Hours of Operation: Unlimited

Transmitter: Type Certified. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: 0.190 kW

Antenna type: Non-Directional

Description: NIC BKG77

Antenna Coordinates: North Latitude: 46 deg 59 min 04 sec

West Longitude: 124 deg 09 min 09 sec

Effective radiated power (Watts): 76

Height of radiation center above ground (Meters): 34

Height of radiation center above mean sea level (Meters): 40

Height of radiation center above average terrain (Meters): 35

Antenna structure registration number: 1310408

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

*** END OF AUTHORIZATION ***