

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Nassau County Police Department)	File No. EB-04-NY-144
)	
ASR # 1224208)	NOV No. V20043238021
Mineola, New York)	
)	
)	

NOTICE OF VIOLATION

Released: July 1, 2004

By the District Director, New York Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Nassau County Police Department.

2. On June 24, 2004, an agent of the Commission's New York Office inspected the antenna structure, ASR # 1224208, located at Mineola, New York, and observed the following violation(s):

- a. 47 C.F.R. § 17.4(g): "... the Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure." The antenna registration number was not posted.

- b. 47 C.F.R. § 17.23: "...each new or altered antenna structure...must conform to the FAA's painting and lighting recommendations set forth on the structure's determination of "no hazard"...". The ASR for structure number 1224208 specifies painting and lighting specifications in accordance with FAA Circular Number 70/7460-1K, Chapters 3, 4, 5 and 12. Chapter 3 requires painting with alternate bands of aviation orange and white, and Chapter 5 requires red obstruction lighting. During the inspection, the agent observed that that the antenna structure did not conform to these specifications. The structure was not painted, and had a white flashing beacon at the top.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Nassau County Police Department, must submit a written

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
New York Office
201 Varick Street, Suite 1151
New York, NY 10014

4. This Notice shall be sent to Nassau County Police Department, 1490 Franklin Avenue, Mineola, NY 11501.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel
District Director
New York Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*