

Federal Communications Commission

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

In the Matter of)	
)	
County of Walton)	File No.: EB-FIELDSCR-12-00003010
Owner of Antenna Structure No. 1030921)	NOV No.: V201232700015
)	
De Funiak Springs, FL)	
)	

NOTICE OF VIOLATION

Released: September 20, 2012

By the District Director, Tampa Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules),¹ to County of Walton, Inc., owner of antenna structure number 1030921 in De Funiak Springs, Florida. Pursuant to Section 1.89(a) of the Rules, issuance of this NOV does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On June 12, 2012, agents of the Enforcement Bureau’s Tampa Office inspected antenna structure number 1030921 located on Madison Street (Hwy 331), three miles north of the city of Freeport, Florida, and observed the following violations:

- 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. Material used to display the Antenna Structure Registration Number must be weather resistant and of sufficient size to be easily seen at the base of the antenna structure.” At the time of inspection, the Antenna Structure Registration Number was not posted at or near the base of the antenna structure.

- b. 47 C.F.R. § 17.57: “The owner of a registered Antenna Structure must immediately notify the Commission using FCC Form 854 upon any change in structure height or change in ownership information.” At the time of inspection, the structure was located half a mile southeast from its coordinates specified in the Antenna Structure Registration (ASR)

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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database, at coordinates Lat. 30° 31' 51.36"N and Long. 086° 07' 39.85" W. In addition, the contact information specified in the ASR database was outdated. County of Walton must update the contact information; obtain a new determination of "no hazard" from the Federal Aviation Administration using the correct coordinates for the structure location and comply with the new determination requirements.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, County of Walton must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct County of Walton to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer or representative of County of Walton with personal knowledge of the representations provided in County of Walton's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. 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
Tampa Office
4010 W. Boy Scout Blvd., Suite 425
Tampa, Florida, 33607

6. This Notice shall be sent to County of Walton at its address of record.

³ 47 U.S.C. § [403].

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.⁷" 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ 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.

FEDERAL COMMUNICATIONS COMMISSION

Ralph M. Barlow
District Director
Tampa District Office
South Central Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).