

**Federal Communications Commission**

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

In the Matter of	)	
	)	
City Of Aurora, Water Department	)	File No. EB-FIELDWR-12-00002934
Antenna Structure Registrant	)	
ASR # 1253664	)	NOV No. V201232800036
Aurora, CO	)	
	)	

**NOTICE OF VIOLATION**

**Released:** July 5, 2012

By the District Director, Denver District Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to the City Of Aurora, Water Dept. (City of Aurora), registrant of antenna structure # 1253664 in Aurora, CO.

2. On June 22, 2012, an agent of the Enforcement Bureau's Denver District Office inspected antenna structure # 1253664 located at 17200 E. Mexico Avenue, Aurora, CO, and observed the following violation:

- a. 47 C.F.R. § 17.57: "The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained must notify the Commission within 24 hours of completion of construction (FCC Form 854-R) and/or dismantlement (FCC Form 854). The owner must also immediately notify the Commission using FCC Form 854 upon any change in structure height or change in ownership information." During the inspection, the agent observed that construction of antenna structure number 1253664 had been completed, however, the FCC's antenna structure registration database showed the structure's status as "granted."

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, the City Of Aurora must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain the 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 City Of Aurora. All replies and documentation sent in

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

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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  
Denver District Office  
215 S. Wadsworth Blvd., Suite 303  
Lakewood, CO 80226

4. This Notice shall be sent to the City Of Aurora at its address of record.

5. The Privacy Act of 1974<sup>3</sup> 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.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Nikki P. Shears  
District Director  
Denver District Office  
Western Region  
Enforcement Bureau

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*