

Federal Communications Commission

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

In the Matter of)	
)	
Township of Lakewood)	File No. EB-10-PA-0040
Licensee of Radio Stations KAR824 and WPCH324)	
Lakewood, New Jersey)	NOV No. V201032400028
)	
)	

NOTICE OF VIOLATION

Released: February 18, 2010

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules¹ to the Township of Lakewood, the licensee of radio stations KAR824 and WPCH324.
2. On February 9, 2009 between 2:30 p.m. and 3:10 p.m., agents of the Commission’s Philadelphia Office monitored the transmissions from station KAR824 and WPCH324 on the frequency 453.600 MHz and observed the following violations:
 - a. 47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section.” The Township of Lakewood was transmitting digital emissions on the frequency 453.600 MHz for its digital voice two-way communications system. The license for stations KAR824 and WPCH324 only authorizes FM analog telephony emissions (F3E) on the frequency 453.600 MHz.² The F3E class of emission does not authorize digital transmissions.
 - b. 47 C.F.R. § 90.425(a): “Each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this

¹ 47 C.F.R. § 1.89.

² The licenses KAR824 and WPCH324 both authorize the use of the frequency 453.600 MHz from the 800 Massachusetts Avenue, Lakewood, New Jersey at the coordinates 40-04-15.4 N 074-13-56.5 W.

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section.” The Township of Lakewood failed to transmit the call sign identification on the frequency 453.600 MHz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, the Township of Lakewood must submit a written statement concerning this matter within twenty (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. 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
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to the Township of Lakewood at its address of record.
5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

³ 47 U.S.C. § 308(b).

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*