



# Board Agenda Item 7

DATE: May 20, 2025

TO: Board of Supervisors

SUBMITTED BY: Supervisor Garry Bredefeld, District 2  
Supervisor Brian Pacheco, District 1

SUBJECT: Proposed Amendment to Ordinance Code of Fresno County, Adding Chapter 10.48, "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS," to Title 10, "Public, Peace, Morals and Welfare"

## RECOMMENDED ACTION(S):

1. **Conduct first hearing to amend the Ordinance Code of Fresno County, Title 10, to add Chapter 10.48, "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS"; and waive reading of the Ordinance in its entirety and set the second hearing for June 10, 2025;**
2. **Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and**
3. **Direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1).**

There is no additional Net County Cost associated with the recommended actions which will add Chapter 10.48 to the Fresno County Ordinance Code "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS" and will set a second hearing to enable your Board to ensure that a local ordinance is in place imposing fines and potential jail time for those in unlawful possession of a catalytic converter(s). The proposed ordinance will provide law enforcement with additional tools to provide verifiable proof that a catalytic converter is possessed illegally.

In unincorporated Fresno County, hundreds of catalytic converters have been stolen from vehicles, resulting in thousands of dollars in repairs for vehicle owners through no fault of their own.

This proposed ordinance will make unlawful possession of a detached catalytic converter either a misdemeanor subject to:

- A fine of up to \$1,000 or by imprisonment in the County Jail for up to one year, or both
- Upon a second offense and subsequent conviction of the offense, the offender shall be punished with a fine of \$1,000 and one (1) year in County Jail

or a violation subject to an administrative penalty in the amount of:

- Up to \$1,000 for a first violation.
- \$2,000 for a second violation within 36 months.
- \$5,000 for each subsequent violation within 36 months.

## ALTERNATIVE ACTION(S):

Your Board could determine not to approve the recommended actions; however, the criminal or administrative penalties would not be in place for the violations included in this ordinance. Law and code

enforcement have little ability to arrest or ticket a suspected catalytic converter thief, which would subject the suspect to fines, possible jail and taking possession of the stolen catalytic converter(s). Under existing state law, thieves must be in possession of nine (9) or more catalytic converters and be without an auto dismantler's license to be subject to penalty - a license violation, which is an infraction.

#### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Patrol and enforcement efforts by the Sheriff's Office and code enforcement may incur such impacts or costs in the future, but these may be partially offset by payments of fines. Staff will monitor impacted County departmental budgets accordingly.

#### DISCUSSION:

Hundreds of catalytic converters have been stolen from vehicle owners in unincorporated Fresno County. Thefts of catalytic converters continue to be a problem for residents. Thieves can remove catalytic converters in a few minutes with a reciprocating saw and minimal skill. The precious metal materials in the catalytic converter - palladium, platinum, and rhodium - allow thieves to profit with hundreds of dollars per stolen device.

This theft results in thousands of dollars in repair and replacement costs for vehicle owners through a criminal act and no fault of their own. A catalytic converter is a required piece of equipment on vehicles in California because they reduce emissions coming out of the tailpipe, leading to cleaner air for all Californians. To clean the air, catalytic converters use precious metals that create chemical reactions to reduce emissions. Those precious metals make catalytic converters an attractive and lucrative target for thieves, who can remove them quickly and get paid hundreds, possibly more than \$1,000, for each stolen device.

Also, most catalytic converters (prior to 2024 vehicle models) do not have identifying features that would reveal the vehicle it came from and the name of the victim/owner unless that victim/owner had identifying information placed on the device. Without an identified victim, law enforcement cannot arrest the suspected thief. The cost for a victim of catalytic converter theft to replace the device can be thousands of dollars. When a catalytic converter is removed, a vehicle will not pass smog tests and will not operate within emission guidelines set by the State of California. So, deterring this type of theft can lead to cleaner air for Fresno County residents. Under existing law, legal consequences are limited. Law enforcement can stop a vehicle with as many as eight (8) catalytic converters and not have legal grounds to make an arrest.

The proposed ordinance makes unlawful possession of a catalytic converter a misdemeanor or code violation, punishable by up to one (1) year in County jail or a fine of up to \$1,000. Possession of more than one (1) detached catalytic converter without valid proof of ownership constitutes separate violations for each unit.

A second offense will result in either additional jail time and fines or increased administrative penalties. State penalties apply. Nothing in this ordinance limits applicable penalties under state law, including the Penal Code. Each act or instance of violation shall be considered a separate offense.

The proposed ordinance defines unlawful possession of a catalytic converter and requires valid documentation when the part is not attached to a vehicle. Anyone in possession of a detached catalytic converter is required to present documentation to prove lawful possession. For detached catalytic converters to remain in possession of an individual detained by law enforcement under the ordinance, the following is required: written document(s) clearly identifying the vehicle from which the catalytic converter originated, which includes, but is not limited to:

- Bill of sale from the original owner with photographs
- Verifiable documentation from an auto-body shop proving the owner relinquished the catalytic converter to the auto-body shop
- Verifiable electronic communication from the previous owner to the possessor relinquishing ownership of the catalytic converter
- Photographs of the vehicle from which the catalytic converter originated
- Vehicle registration associated with the catalytic converter containing an associated license plate number or vehicle identification number or driver's license number of the registered vehicle's owner

This proposed ordinance is specific, targeting individuals with commercial quantities of likely stolen metals. It is not intended to disrupt legitimate recyclers, auto dismantlers or people who recycle legitimate scrap metal.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance

On file with Clerk - Ordinance Summary

CAO ANALYST:

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