



Board Agenda Item 20

DATE: June 10, 2025

TO: Board of Supervisors

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

SUBJECT: Adoption of Amendment to the Ordinance Code of Fresno County, Adding Title 10, Chapter 10.48, "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS"

RECOMMENDED ACTION(S):

- 1. Conduct second hearing and adopt the proposed Ordinance to amend the Fresno County Ordinance Code, Title 10, to add Chapter 10.48, "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS"; and waive reading of the Ordinance in its entirety.**

The recommended action will add Title 10, Chapter 10.48, "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS" to the Fresno County Ordinance Code 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 recommended 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.

The recommended 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). This ordinance would give both law & code enforcement the ability to hold catalytic converter thieves accountable for their criminal actions. Under existing state law, these thieves can only be held accountable if they are 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, associated with enforcement of the recommended amendment to the ordinance, which may be partially offset by payments of fines. Staff will monitor impacted County departmental budgets accordingly.

DISCUSSION:

On May 20, 2025, your Board conducted the first hearing to amend to Ordinance Code, Title 10, to add Chapter 10.48, "UNLAWFUL POSSESSION OF DETACHED CATALYTIC CONVERTERS"; 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 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 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 recommended 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.

With your Board's approval, the ordinance will take effect 30 days thereafter.

REFERENCE MATERIAL:

BAI #7, May 20, 2025

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance

CAO ANALYST:

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