

ORDINANCE NO. 2022-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD AMENDING ARTICLE III OF THE LAKEWOOD
MUNICIPAL CODE PERTAINING TO UNLAWFUL
POSSESSION OF CATALYTIC CONVERTERS

WHEREAS, the theft of catalytic converters has been an increasing problem regionally and nationally, and Lakewood is not immune to this trend; and

WHEREAS, catalytic converters contain expensive precious metals including platinum, palladium, and rhodium, which currently cost over \$11,000 per ounce; and

WHEREAS, the average cost of replacing a stolen catalytic converter and repairing the damage to the vehicle is generally over \$2,000 to the victim; and

WHEREAS, individuals in possession of stolen catalytic converters often recycle them for substantial profit while victims of these thefts suffer the consequences of paying thousands of dollars in repairs, the inconvenience of repairing their vehicles, and feeling unsafe in the community; and

WHEREAS, catalytic converter thefts are on the rise because individuals are incentivized to commit catalytic converter thefts for multiple reasons including, but not limited to: (1) the ease and undetectable nature of committing the thefts in a matter of seconds using common tools such as a reciprocating saw, (2) the ability to recycle the precious metals contained in catalytic converters at scrap metal yards for high dollar returns, and (3) the challenges with prosecuting criminals for catalytic converter theft where a victim cannot be identified; and

WHEREAS, finding the victim of these crimes is nearly impossible due to the manner in which the catalytic converter thefts occur and lack of identifying markers on catalytic converters to link a stolen catalytic converter to the victim; and

WHEREAS, the inability to identify the victims of catalytic converter thefts has stymied the ability to successfully prosecute individuals for the thefts; and

WHEREAS, due to lack of legislation addressing these thefts, the majority of catalytic converter theft cases are unresolved; and

WHEREAS, there is currently no city, state, or federal legislation applicable within the City of Lakewood requiring individuals to provide proof to law enforcement showing how they obtained detached catalytic converters, thus limiting law enforcement's ability to protect the public by deterring catalytic converter thefts; and

WHEREAS, this Ordinance is necessary to provide a means to protect the public, deter this criminal activity and promote a more productive use of Lakewood resources by staff responsible for investigating catalytic converter thefts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. INTENT. Article III Public Safety of the Lakewood Municipal Code is hereby amended as provided in this Ordinance to provide legislative remedies to deter and address catalytic converter thefts.

SECTION 2. PURPOSE. The purpose of this ordinance is to prohibit the unlawful possession of catalytic converters and provide appropriate enforcement measures to protect the public and deter this criminal activity.

SECTION 3. Section 3295 regarding Unlawful Possession of Catalytic Converters of Part 9 of Miscellaneous of Chapter 2 of Article III of the Lakewood Municipal Code is hereby added to read as follows:

3295. UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS

A. It is unlawful for any person, other than a Core Recycler as defined in California Business and Professions Code Section 21610, to possess any catalytic converter that is not attached to a vehicle unless the person has valid proof of ownership of the catalytic converter.

B. This section does not apply to a detached catalytic converter that has been tested, certified, and labeled or otherwise approved for reuse, and being bought or sold for purposes of reuse in accordance with the federal Clean Air Act (42 U.S.C. §§ 7401 et seq.) and regulations under the Clean Air Act, as they may, from time to time, be amended.

C. For purposes of this section, “valid proof of ownership” shall contain all the following information:

1. The license plate number and vehicle identification number of the car from which the catalytic converter was removed.
2. The name, address, and telephone number of the owner of the vehicle from which the catalytic converter was removed.
3. The signature of the vehicle owner authorizing removal of the catalytic converter.
4. The name, address, and telephone number of the current owner of the catalytic converter.


D. It is unlawful for any person to knowingly falsify or cause to be falsified any information in a record intended to show valid proof of ownership.

E. Each violation of this section constitutes a separate violation and is subject to all remedies and enforcement measures authorized by the Lakewood Municipal Code.

SECTION 4. SEVERABILITY If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

ADOPTED AND APPROVED this 26th day of April, 2022, by the following roll call vote:

	AYES	NAYS	ABSENT
Mayor Croft	<u>X</u>	_____	_____
Council Member Pe	<u>X</u>	_____	_____
Council Member Rogers	<u>X</u>	_____	_____
Council Member Stuckey	<u>X</u>	_____	_____
Council Member Wood	<u>X</u>	_____	_____



Mayor

ATTEST:



City Clerk