

ORDINANCE NO. 801

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS, AMENDING CHAPTER 44, MISCELLANEOUS OFFENSES, OF THE CITY OF HEDWIG VILLAGE CODE OF ORDINANCES BY ADDING A NEW ARTICLE VII TO CHAPTER 44, TO BE ENTITLED "CATALYTIC CONVERTERS", FOR THE PURPOSE OF MAKING IT UNLAWFUL TO POSSESS CERTAIN USED CATALYTIC CONVERTERS AND ADOPTING A PENALTY FOR SAME.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS THAT:

Section 1. *Chapter 44, Miscellaneous Offenses, of the City of Hedwig Village Code of Ordinances*, is hereby amended by adding a new Article VII to Chapter 44, to be entitled "Catalytic Converters", for the purpose of making it unlawful to possess certain used catalytic converters and adopting a penalty for same. The amended *Code of Ordinances* shall read as set out in Appendix A, attached hereto. All other portions of *Chapter 44* of the City's *Code of Ordinances* not specifically amended hereby shall remain in full force and effect.

Section 2. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.


Section 3. If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

Section 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

Section 5. This Ordinance shall be effective immediately upon its passage and adoption and the City Secretary is hereby authorized to publish notice of its adoption as required by law.

PASSED, APPROVED and ADOPTED this, the 12th day of May, 2022.

ATTEST:



Lisa Modisette, City Secretary
City of Hedwig Village, Texas



Tom Jinks, Mayor
City of Hedwig Village, Texas

Appendix A

ARTICLE VII. CATALYTIC CONVERTERS

Section 44-75. Definitions. Catalytic converter means an exhaust emission control device that reduces toxic gases and pollutants from internal combustion; this includes any material removed from a catalytic converter.

Section 44-76. Possession of Used Catalytic Converter Unlawful.

- (a) It shall be unlawful for any individual or entity to possess a used catalytic converter that was cut from its original vehicle, rather than unbolted, unless the individual or entity provides a verifiable receipt from the automobile repair facility that supplied the catalytic converter including:
 - 1. The name of the business;
 - 2. The address of the business;
 - 3. The phone number of the business that repaired the vehicle that the catalytic converter came from; and
 - 4. The year, make, model and vehicle identification number of the vehicle repaired that the catalytic converter came from.
- (b) Each catalytic converter in an individual or entity's possession shall constitute a separate offense.

Section 44-77. Penalties and Enforcement.

- (a) Each violation of this article is punishable as a Class C misdemeanor subject to a fine of up to \$500.00
- (b) Causing, permitting, aiding, abetting or concealing a violation of this article shall also constitute a violation of this article.