

AGENDA



Thursday, August 26, 2010

**Police
RECOMMENDATION FOR COUNCIL ACTION****Item No. 28**

Subject: Approve an ordinance amending Title 4 (Business Regulations and Permit Requirements) of the City Code to add Chapter 4-7 relating to metal recyclers; and providing for criminal and civil penalties.

Fiscal Note: A fiscal note is not required.

For More Information: Patti Robinson, Assistant Chief / 974-5030

Boards and Commission Action: July 15, 2010 - Approved recommendation by the Solid Waste Advisory Commission.

As the price of copper and other recyclable metals increases, so do the thefts that follow this trend. Currently, the Austin Police Department's (APD) Property Interdiction Team investigates these cases, which account for 80% of their case load. Most of these cases are related to the theft of air conditioning units or parts.

This ordinance is the result of a five month collaborative effort combining the knowledge of local metal recycling stakeholders and the APD's Property Interdiction Team. Several meetings were conducted to finalize a mutually agreeable ordinance that satisfied the needs of the participating entities. This ordinance will allow the APD to have a viable way to investigate these cases and provide a greater resource for enforcement. With this ordinance, the City of Austin will join over 20 other Texas cities that have an ordinance that provides Police a better investigative tool.

The language of this ordinance reflects the Texas Department of Public Safety's (DPS) guidelines and reporting procedures inserting specific directives that assist the Austin Police Department (APD) in protecting local businesses. This ordinance will not change the way the general public sells scrap metal. The directives include:

- It will be a violation for any outside Metal Recycling business to drive into Austin and purchase recycled materials without a City of Austin permit. This activity hurts local businesses and economy when there is no control over materials purchased or manner to determine if stolen materials are being purchased.
- Air conditioning professionals must be licensed if they want to sell air conditioner units or components
- Individuals wishing to sell property in its original packaging must have an accompanying receipt or proof of purchase.
- DPS information will be reported within two working days instead of the current allotment of seven days.