

ORDINANCE NO. 3364

**AN ORDINANCE OF THE CITY OF CORONA,
CALIFORNIA, ADDING CHAPTER 10.47 TO THE
CORONA MUNICIPAL CODE REGARDING UNLAWFUL
POSSESSION OF CATALYTIC CONVERTERS**

WHEREAS, the City of Corona (“City”), like many cities throughout California and the nation, has seen an increase in catalytic converter thefts;

WHEREAS, currently there is no applicable federal, state or local law which would allow law enforcement to define and punish catalytic converter thefts without an identifiable victim;

WHEREAS, a challenge for law enforcement during investigations of illegally obtained catalytic converters is to identify a victim, since catalytic converters are commonly not marked or clearly linked to a specific person or vehicle;

WHEREAS, since catalytic converters are often stolen within minutes or even seconds, few if any witnesses are available to help link a particular stolen catalytic converter to a particular victim;

WHEREAS, the City Council wishes to help address these circumstances by providing legal authority to take enforcement action, including making an arrest, when a victim of a catalytic converter theft cannot be identified;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA
DOES ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 10.47 (Unlawful Possession of Catalytic Converter) is hereby added to Chapter 10 (Vehicles and Traffic) of the Corona Municipal Code to read as follows:

**“CHAPTER 10.47
UNLAWFUL POSSESSION OF CATALYTIC CONVERTER**

Sections

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| 10.47.010 | Unlawful Possession of a Catalytic Converter. |
| 10.47.020 | Definitions. |
| 10.47.030 | Violations, penalties and enforcement. |

10.47.010 Unlawful Possession of a Catalytic Converter.

A. **Unlawful Possession.** It shall be unlawful to possess any catalytic converter that is not attached to a vehicle, unless the possessor has valid documentation or other proof to verify they are in lawful possession of the catalytic converter. It is not required to prove the catalytic converter was stolen to establish that its possession is not a lawful possession.

B. **Seizure as Evidence.** Upon discovery, any law enforcement officer may seize a catalytic converter that is not in an individual's lawful possession and retain such property pursuant to the police department's policies and procedures for criminal evidence. If a victim or owner of the stolen property is located, the property will be returned to them pursuant to the police department's policies and procedures.

10.47.020 Definitions.

Unless the context of a particular provision otherwise requires, the definitions provided in this section shall govern the construction, meaning and application of words and phrases used in this chapter.

A. **"Lawful possession"** shall mean being the lawful owner of the catalytic converter or in possession of the catalytic converter with the lawful owner's written consent.

B. **"Documentation or other proof"** shall mean written document(s) that clearly identify the vehicle from which the catalytic converter originated, including, but not limited to, the following document types: bill of sale from the original owner with photographs, 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 a catalytic converter that contains an etched associated license plate number or vehicle identification number. The validity of "documentation or other proof" is based on the totality of the circumstances.

10.47.030 Violations, penalties and enforcement.

A. **Violations.** Any person violating this chapter shall

be guilty of a misdemeanor. In addition to the authority provided for in § [1.08.025](#) of this code for the citing official or City Attorney to cite or prosecute an offense as an infraction, the court may determine that the offense is an infraction, in which event the case shall proceed as if the defendant has been arraigned on an infraction complaint.

B. Penalties. Any person who violates any section of this chapter may be punished as provided for in [Chapter 1.08](#) of this code.

C. Separate Offenses. Each and every violation of this section, including each and every catalytic converter unlawfully possessed, shall constitute a separate violation and shall be subject to all enforcement measures and remedies authorized by this code.

D. Alternative Remedies. The remedies provided herein are not to be construed as exclusive remedies. The city is authorized to pursue any proceedings or remedies provided by law, including, but not limited to, the issuance of administrative penalties pursuant to § [1.08.130](#) et seq. of this code. All such remedies may be pursued individually, consecutively, or in conjunction with each other.”

SECTION 2. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this ___(th) day of _____, ____.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California duly held on the ___(th) day of _____, _____ and thereafter at a regular meeting held on the ___(th) day of _____, _____, it was duly passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this ___(th) day of _____, _____.

City Clerk of the City of Corona, California

[SEAL]