

Houston Police Department

Metal Theft Unit

Sergeant Jesse Fite

HB 2187

September 1st, 2015 significant changes were made to O.C. 1956 which governs Metal Recycling Entities in the state.

The changes to Chapter 7 of the Code of Ordinances will mirror the changes made to state law and State of Texas administrative rules.

Several changes made to Chapter 7 are specific to the city, regarding heat numbers and the 300 foot rule.

Changes Sought to Chapter 7 of the Code Of Ordinances

- Secondhand Dealer removed from Article III and moved to Article VI
- Surety bond requirement removed. No scrap metal recycler bond has been forfeit since the inception of the ordinance.
- Requirement of a valid state issued certificate of registration as required by O.C. 1956.
- Timeline to request a hearing shortened from 30 days to 10 days
- Payments made by metal recyclers in compliance with O.C. 1956.

Changes Continued

- Cash Card requirement O.C. 1956
- Serial number or heat number as required by the Chief of Police pursuant to 7-53.
- Notification to the director of changes in business operations. (commercial accounts and individuals) 7-62
- Fee imposed for a second reinspection to verify corrections of deficiencies. 7-70
- Requirement of improved surfaces 7-72(j)

Grounds for revocation

- Requires compliance with state law
- Automatic revocation if state license is revoked
- Variance procedure added for compliance with 300ft rule provided in sec. 28-34

Future of the Ordinance

- By amending the ordinance to mandate compliance with O.C. 1956 future changes to state law will automatically be enforceable by COH.

Changes and the industry

- A meeting with the scrap metal industry was conducted in May 2015 to discuss the proposed changes in the city ordinance.
- Changes to the ordinance have been discussed with DPS