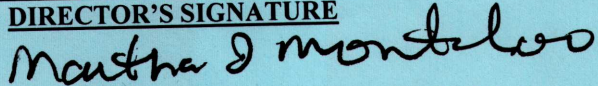


REQUEST FOR COUNCIL ACTION**TO:** Mayor via City Secretary**Subject:** Adoption of an Ordinance amending Chapter 8 of the City of Houston Code of Ordinances as it relates to denial of automotive business licenses by the Houston Police Department.

Category #

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Agenda Item

FROM (Department or other point of origin):
Houston Police Department**Origination Date****Agenda Date****DIRECTOR'S SIGNATURE**
Martha I. Montalvo, Acting Chief of Police**Council District(s) affected****For additional information contact:**

Joseph A. Fenninger, HPD

Phone: (713) 308-1708

Jeffery Giles, City Legal

Phone: (832) 393-6319

Date and Identification of prior authorizing Council Action:**RECOMMENDATION: (Summary)**

Ordinance amending Chapter 8 of the City of Houston Code of Ordinances as it relates to denial of automotive business licenses by the Houston Police Department.

Award Amount: N/A

Finance Budget**SPECIFIC EXPLANATION:**

The Acting Chief of Police for the Houston Police Department and City Legal recommend the adoption of an Ordinance amending certain provision of Chapter 8 of the City of Houston Code of Ordinance in order to close loopholes which allow businesses to operate after license revocation, and to allow HPD's Auto Dealers Detail to deny licenses for applicants who are untruthful on their application.

HPD consulted with City Legal and developed proposed amendments to Chapter 8 to address the following issues. Further, on May 10, 2016, HPD made a presentation to the Public Safety and Homeland Security Committee of its proposed amendments. HPD's presentation can be viewed at <http://www.houstontx.gov/council/committees/publicsafety.html>.

Article II. Automotive Dealers

- **New subsection (d) of Section 8-66. Revocation or suspension.**

The addition of this section will ensure that once a business license is revoked, the applicant cannot circumvent the appeal process. Under the current wording of the ordinance, licensees whose business licenses are revoked by the Automotive Board for numerous violations of the statutes regulating the automotive industry can simply reapply immediately after the revocation or suspension, thereby needlessly consuming resources of HPD and the Automotive Board, and negating the regulatory authority of both the Automotive Board and City Council, who hears appeals from the Automotive Board's decision.

- **Section 8-52. Application Generally and Section 8-82. Application; issuance or denial**

Under current law, HPD may only revoke or suspend an existing license for untruthful statements on the application. The proposed language will allow HPD to deny an application for untruthfulness at the time of the application.

Article III. Auto Wreckers and Storage Yards

- **Proposed language for subsection (a) of Section 8-134. Issuance; denial; hearing.**

The proposed amendment delineates the reasons for which the Chief of Police may deny the issuance of a license to perform non-consent tows in the City of Houston.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization: