

Ch. 16: MRE & UAPR Code Updates

Planning and Community Development Committee

April 24, 2025



COUNCIL CONSIDERATION REQUEST

Submitted Nov. 27, 2023, by Council District 5

- Presented to Planning and Community Development Committee Jun. 27, Aug. 22, 2024; Feb. 19, 2025

Request

- Create a stakeholder group to assess and recommend amendments to Ch. 11 (Fire Prevention) and Ch. 16 (Licenses and Business Regulations) of the City's Code
- Include relevant stakeholders
 - Community
 - Neighborhood associations
 - Industry representatives

CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST

TO: Mayor and City Council

FROM: Teri Castillo, District 5 Councilmember

COPIES TO: Erik Walsh, City Manager; Tina Flores, City Clerk; Andy Segovia, City Attorney; John Peterek, Assistant to the City Manager; Ana Bradshaw Assistant to City Council

SUBJECT: Updating City Codes for Used Automotive Recycling Parts Recyclers and Metal Recycling Entities

DATE: 11/27/2023

Issue Proposed for Consideration

Requesting the creation of a stakeholder taskforce charged with evaluating and recommending amendments to the San Antonio Code of Ordinances, specifically Chapter 11 Fire Prevention and Chapter 16 Licenses and Business Regulations, that ensure adequate enforcement of city codes relating to used automotive parts recyclers (UAPR) and metal recycling entities (MRE).

Background

Used Automotive Parts Recyclers (UAPR) and Metal Recycling Entities (MRE) are facilities key to our city's recycling ecosystem and circular economy – many of them have been part of our community for decades. While they are part of what is considered the sustainable economy, the process of recycling used automotive parts and metals often results in serious pollution for the surrounding area that can cause detrimental health issues in people.

Air emissions such as volatile organic compounds (VOCs), particulate matter and ozone, lead, mercury, and other hazardous air pollutants stem from much of the work UAPRs and MREs conduct during the breakdown process of onsite materials. These emissions, especially with long-term exposure, can lead to cancer, respiratory diseases, liver damage, neurological damage, and other dangerous health effects. While hazardous air emissions are most dangerous to people working and living near these facilities, they also threaten the health of all residents throughout the city of San Antonio as air pollutants can travel can travel hundreds of miles away from their original source.

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FOCUS AREAS



- Timeline and process for issuing and resolving citations
- Fines for recurring violations
- Identifying a threshold for triggering heavier enforcement mechanisms until violations and citations are resolved
 - Temporarily ceasing operations
 - Requirements of fence line air monitors for limited time
 - Removal of non-conforming uses
 - Fines to recoup city services used to address violations and emergencies

TASK FORCE MAKE UP

COMMUNITY REPRESENTATIVES

- Community representatives elected by PCDC subcommittee
- Up to 10 members chosen by City Council
 - Ended with 8

INDUSTRY REPRESENTATIVES

- Up to 10 industry representatives
 - Selected via application process
 - 5 MREs & 5 UAPRs
 - Ended with 8

SUBJECT MATTER EXPERTS

- City staff: CAO, DSD, SAPD, MH, SAFD, SWD
- Other agencies: TCEQ, SAWS



TASK FORCE MEETINGS

- Task Force met 10 times between September 2024 and January 2025.
- Paused to add more members and capture feedback
- 8 Additionally meetings were held from March to April
- Total of 18 meetings, approx.. 2-3 hours each



Outreach



Community Meetings

E-blasts & social media

Public Comments

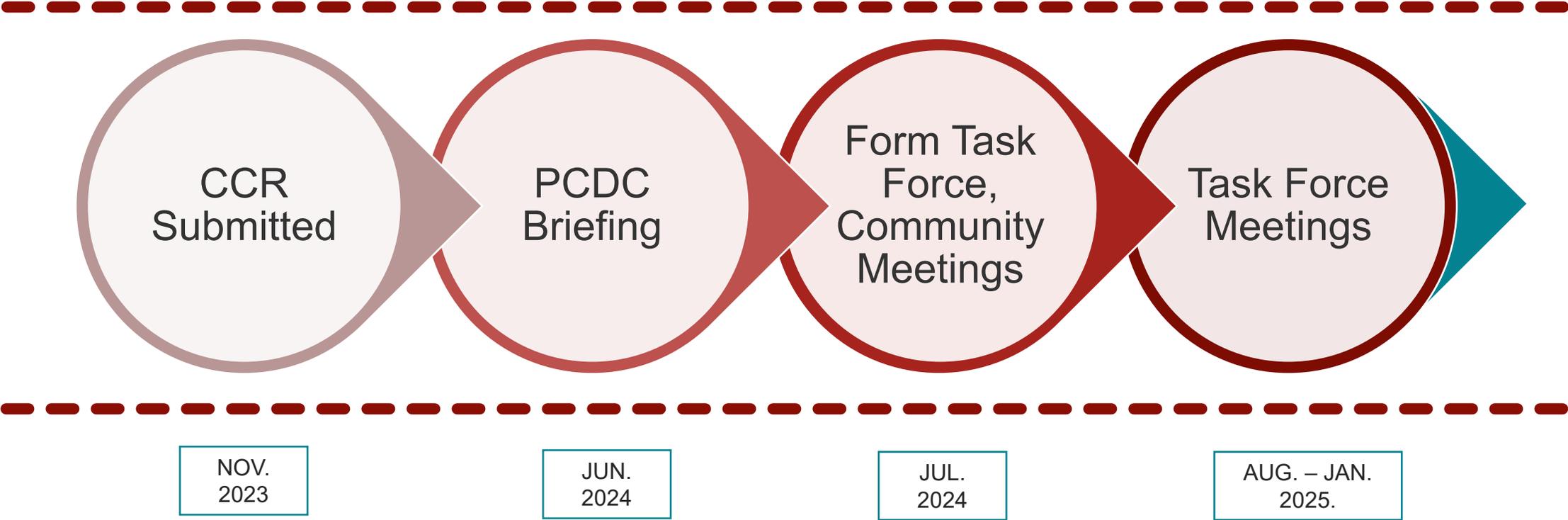
Online Resources

Recorded Meetings

Website

Translation Services

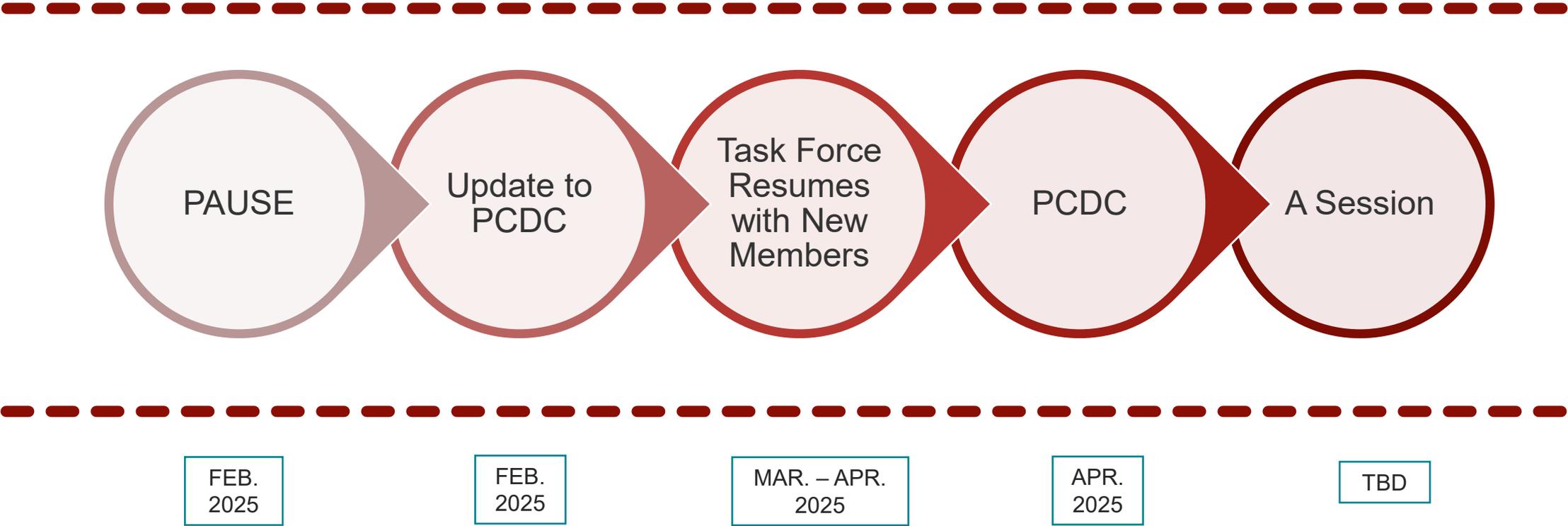
Process



Public Outreach
Via SASpeakUp



Process



Public Outreach
Via SASpeakUp



Increased Options for Enforcement

- Faster required timeline for violation response – operator given 2-day notice to correct issue when violation is noted. Currently 10-30 days.
- Adds ability for City to use civil tickets in addition to criminal tickets for violations.
- Clarifies that Certificate of Occupancy can be revoked if operating without valid license.
- Modifies ability to suspend or revoke license if 3+ citations accepted by municipal court within rolling 12-month period. Currently 3 citations within 18 months.



Increased Options for Enforcement

- Director can require business to cease operations pending mandatory compliance meeting before suspension or revocation.
- Adds ability to issue a 30-day temporary license if only waiting for minor administrative items for renewals.
- Adds requirement for contaminated liquid and other hazardous waste disposal manifests be reviewed at least every 3 months by Code Enforcement to ensure legal disposal of these items.



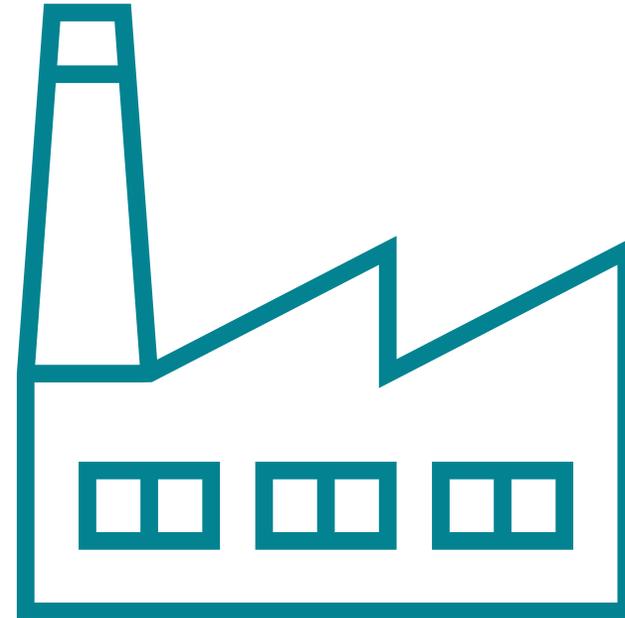
Zoning and Nonconforming Use

- Adds zoning density rules to limit establishment of new MRE/UAPR within 1,000 feet of existing facility unless approved by City Council through zoning process.
- Adds ability for UAPRs that have legal non-conforming use to expand within their existing lot lines similar to what was granted to MREs back in 2012.



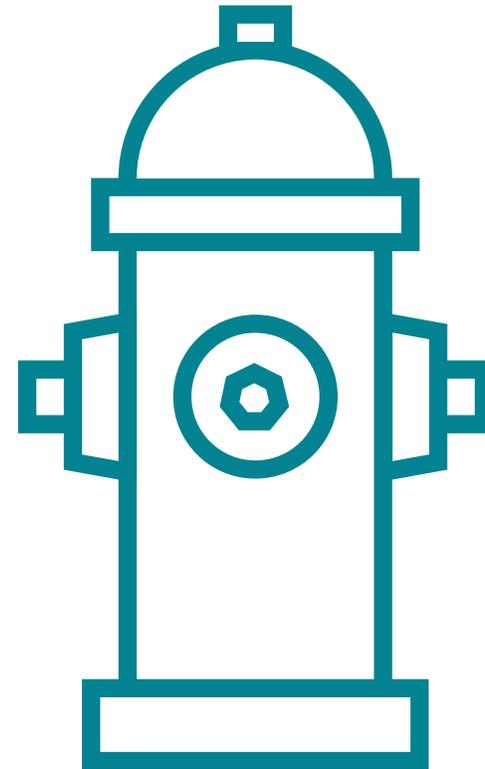
Facility Standards

- Clarifies acceptable fencing designs, materials, and maintenance requirements.
- Allows metal fencing by right for these facilities and adds requirement for fencing to limit reflectivity and heat transfer via paint or other method.
- Increased pest and vector control from every 6 months to every 3 months.
- In recycling operations areas, weed/brush maintained at 4 inches instead of 12 inches.



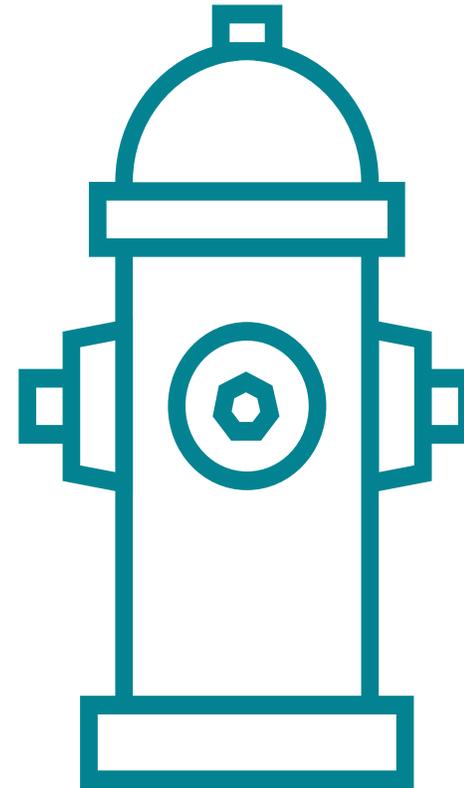
Fire Prevention and Public Safety

- Adds requirement for each yard to have a fire prevention plan to be submitted for review by SAFD to obtain new or renewed license.
 - Plan shall identify fire department access and egress from facility; available water systems; and any fire notification systems for the property.
 - Will assist SAFD pre-planning for each facility.
 - Fire prevention plan shall be reviewed and updated by an approved 3rd party in event of fire at facility when required by fire official.
- Adds language to ensure required fire safety path around facility has no obstruction within 14 ft. of ground to assist SAFD operation in emergency event.



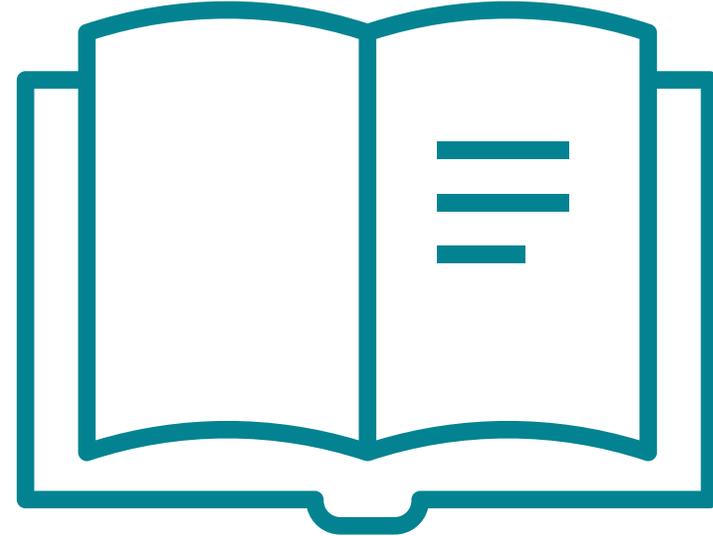
Fire Prevention and Public Safety

- Adds language that all hazardous solid waste, hazardous liquid, regardless of character or category, must be contained to prevent negative impacts on human health or environment.
- Adds San Antonio fire code language to Ch. 16 to clarify maximum heights, size and separation of outdoor storage piles for operational safety and to simplify inspections.
- Adds requirement for Code Enforcement to report all noted spills (based on TCEQ's reportable spill standard) to appropriate agencies: Metro Health, SAWS, TCEQ, SWMD, or SAFD



Updated/Clarified Definitions

- Hazardous Materials
- Regulated Material to align with state definition.
- Regulated Metal to align with state definition.
- Added Metal Shredder Residue (MSR) definition



Additional Recommendations



- City should consult with TCEQ to identify ways to install air monitors in and around areas with a high-density of these and other industrial facilities to determine any need for specific action plans in these areas.
 - TCEQ is the enforcement authority for air quality in Texas.
- Council could further discuss overall policy of collecting fees for City services for emergency response to these and other facilities

Staff Recommendation



- Staff recommends forwarding the proposed Chapter 16 changes to City Council for final adoption.

Thank You!

Michael Shannon, PE, CBO - Director

