



Staff Report

TO: Mayor, and City Council Members
FROM: Christina Taylor, Community Development Director
DATE February 4, 2020
SUBJECT: Request for Direction on Preparing a Shopping Cart Ordinance

Background and Analysis:

The City of Beaumont Community Enhancement officers and City maintenance crews regularly address the issue of abandoned shopping carts. Community Enhancement as well as other City departments work together to remove and store these carts until the owners can be reached to retrieve them. Currently, City staff spends 2-3 hours per week picking up abandoned shopping carts, with an average of 5 -10 carts per week. When approximately 80 carts have been collected, City staff makes contacts with their various resources to have the carts removed from the yard. From July – September 2019, staff picked up 78 abandoned shopping carts, the bulk of which were from Food 4 Less and Stater Bros.

Aside from staff time, some of the concerns staff has with abandoned shopping carts include:

1. Increasing number of discarded shopping carts located significant distances from retailers,
2. Shopping carts stripped of identifiers and ownership information.
3. Length of time for a cart to be removed by a retrieval company or other entity,
4. Retailers of the carts located outside of City jurisdiction, and
5. Retailers do not have a retrieval system in place.

State regulations allow for cities to establish regulations governing shopping carts. Two of the State regulations below speak to cost recovery and disposal of unclaimed carts:

- State regulation Business & Profession Code: **BPC 22435.7(f)** – *A city, county, or city and county may fine the owner of a shopping cart in an amount not to exceed fifty dollars (\$50) for each occurrence in excess of three during a specified six-month period for failure to retrieve shopping carts in accordance*

with this section. An occurrence includes all shopping carts impounded accordance with this section in a one-day period.

- State regulation Business & Profession Code: **BPC 22435.7(g)** – *Any shopping cart not reclaimed from the city, county or city and county within 30-days of receipt of a notice of violation by the owner of the shopping cart may be sold or otherwise disposed of by the entity in possession of the shopping cart.*

There are many viable options that can assist with cost recovery, staff time and storage of property. City staff has researched how other cities have addressed shopping cart issues and many cities have developed shopping cart ordinances. Some of the issues which can be addressed through a shopping cart ordinance are:

1. Require during planning and permitting stages carts offered for use by a retailer must provide a containment and immediate retrieval method,
2. Requirement to install locking mechanisms on the carts,
3. Require the posting on retailer properties that removal of a cart from the premises is deemed theft with a desire to prosecute,
4. Require businesses to participate in a cart retrieval plan by requiring each to submit documentation of their contracted provider of choice or proposal and implementation plan of another retrieval strategy, and
5. Require that carts be properly identified by having permanently affixed cart identification (*as required by state law*).

Fiscal Impact:

Cost of staff time to research and prepare this report is approximately \$600.

Recommended Action:

Provide staff direction on preparing a shopping cart ordinance.