



## Staff Report

**TO:** Planning Commissioners  
**FROM:** Christina Taylor, Community Development Director  
**DATE:** June 9, 2020  
**SUBJECT:** **Consideration of the Proposed Addition of Chapter 8.55 Regulation of Shopping Carts to the Beaumont Municipal Code**

---

### **Background and Analysis:**

Many retail establishments provide shopping carts for the convenience of customers, however, shopping carts removed from businesses and left abandoned on public or private property throughout the City constitute a public nuisance and a potential hazard to the health and safety of the public, cause blight in the community, results in the obstruction of free access to public and private sidewalks, streets, parking lots and other ways, interferes with pedestrian and vehicular traffic on public and private streets, and impedes emergency services. In order to minimize the impact of this nuisance, City staff collects and stores abandoned shopping carts while attempting to make contact with the businesses to arrange for carts to be picked up. This has proven to be a strain on staff time and resources.

On February 4, 2020, citing the issues stated above, staff requested direction from City Council regarding preparing a shopping cart ordinance. Council directed staff to proceed with preparing an ordinance. After researching how other Inland Empire cities have addressed shopping cart issues, staff prepared the proposed ordinance.

The ordinance contains the following sections:

- 8.55.010 Declaration of public nuisance**
- 8.55.020 Definitions**
- 8.55.030 Cart containment and retrieval plan**
- 8.55.040 Plan submission and approval**
- 8.55.050 Penalties for failing to submit or implement a plan**
- 8.55.060 Appeals**
- 8.55.070 Unlawful acts by persons**
- 8.55.080 Enforcement**

**8.55.090 Shopping cart abatement**  
**8.55.100 Procedures for abatement**  
**8.55.110 Fee**

Each section serves a purpose in addressing the City's needs while providing a clear path for business operators to obtain and maintain compliance. The crux of the ordinance revolves around Chapter 8.55.030 Cart Containment and Retrieval Plan. The containment plan establishes requirements for cart identification, prevention measures and mandatory cart retrieval. The ordinance also provides the opportunity for businesses located within the same center to collaborate on a plan.

A plan will be reviewed administratively by staff and either approved or denied within 30 days. The ordinance provides for modification of a plan if site circumstances change and requires an annual review and recertification of a plan. Chapter 8.55.040 (B) calls for existing retail establishments to submit a plan for review within 60 days of adoption of this ordinance. Staff will be reaching out to individual businesses that fit the criteria and will work with them to establish compliance.

In the event a business is non-compliant, the ordinance provides procedures for obtaining compliance. Chapters 8.55.080 – 8.55.100 establish guidelines and options for addressing shopping carts found outside of a center boundary. The ordinance provides options for notification and removal of carts that allows some flexibility for both the City and the owner depending on the nature of the nuisance.

There is also a cost recovery component for review and approval of a shopping cart containment plan and for the abatement of cart nuisances. The ordinance establishes the use of the administrative citation process in Chapter 1.17 or Chapter 8.32 of the Beaumont Municipal Code. The fee for review and approval of a cart containment plan is being studied and will be presented at City Council for approval prior to implementation. By law, a fee cannot exceed the cost of staff time necessary to complete the work.

**Recommended Action:**

Hold a public hearing and;  
Forward to City Council a recommendation of approval of Chapter 8.55  
Regulation of Shopping Carts

**Attachments:**

A. Draft Ordinance