

CITY OF CLEWISTON, FLORIDA

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, ADDING II OF THE CLEWISTON CODE OF ORDINANCES OF THE CITY OF CLEWISTON PERTAINING TO THE USE OF SHOPPING CARTS WITHIN THE CITY; PROVIDING THAT MERCHANTS WHO PROVIDE SHOPPING CARTS AND CUSTOMERS WHO USE THEM SHALL BE LIABLE IF CARTS ARE ABANDONED OR LEFT ON PUBLIC STREETS OR PRIVATE PROPERTY WITHOUT CONSENT; PROVIDING FOR A PERMANENT TAG OF IDENTIFICATION OF CARTS; PROVIDING FOR COLLECTION AND REDEMPTION OF CARTS; PROVIDING A PENALTY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Clewiston is committed to maintaining the public health, safety, and welfare of its residents and business community; and

WHEREAS, abandoned shopping carts located on public and private properties throughout the City of Clewiston contribute to neighborhood blight, attract illegal dumping, and create visual and physical hazards; and

WHEREAS, the City Commission finds that property owners play a role in the responsible return or removal of shopping carts that are unlawfully abandoned or retained on their premises; and

WHEREAS, the Commission desires to amend the City of Clewiston Code of Ordinances to impose penalties on property owners who allow unauthorized shopping carts to remain on their property, thereby supporting efforts to keep the City clean, safe, and visually appealing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA:

ARTICLE 1. AMENDMENT TO CODE OF ORDINANCES

Section 22-102 of the Clewiston Code of Ordinances is hereby replaced and enacted as follows:

Sec. 22-102. – Return of Shopping Carts, assessment of fees, fines, and costs.

(a) Unlawful Possession.

It shall be unlawful for any property owner to knowingly retain, store, or allow a shopping cart, bearing the name or identification of a business, to remain on the premises.

(b) Notification and Removal.

Upon notification by the City or its authorized agent, a property owner shall have 24 hours to return the shopping cart(s) to the rightful business.

(c) Civil Penalty.

Failure to comply with subsection (b) shall result in a civil penalty assessed as follows:

1. **First violation:** \$100 per shopping cart
2. **Second and subsequent violation** within a 12-month period: \$200 per shopping cart

(d) Exceptions.

Notwithstanding any other provision of law or local ordinance, no fee, fine, or costs may be assessed against the owner of a shopping cart unless the shopping cart was found on public property and was removed from the premises or parking area of a retail establishment by the owner of the shopping cart or an employee acting on the owner's behalf, and the fee, fine, or cost has been approved by the state department of agriculture and consumer services.

ARTICLE 2. ENFORCEMENT

Police Officers of the Clewiston Police Department and Code Enforcement Officers shall be responsible for administering and enforcing the provisions of this section, including issuing notices of violation and citations where applicable.

ARTICLE 3. CONFLICT

All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

ARTICLE 4. SEVERABILITY

If any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder shall not be affected and shall remain in full force and effect.

ARTICLE 5. EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.

Commissioner _____ offered the foregoing resolution. Commissioner _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	Aye	Nay	Absent
JAMES PITTMAN, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HILLARY HYSLOPE, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARBARA EDMONDS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MALI GARDNER, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JASON WILLIAMS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED AND APPROVED by the City Commission of the City of Clewiston this ____ day of _____, 2025.

ATTEST:

CITY OF CLEWISTON, FLORIDA

Lakisha Burch, City Clerk

James Pittman, Mayor

(MUNICIPAL SEAL)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Dylan Brandenburg, City Attorney