

ARTICLE V. SHOPPING CART REGULATIONS<sup>1</sup>

Sec. 22-99. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Shopping cart* means a basket mounted on wheels or similar device which is generally used in a retail establishment by a customer for the purpose of transporting goods of any kind.

*Street* means street, avenue, road, alley, lane, highway, boulevard (including the full right-of-way width), concourse, driveway, culvert, crosswalk, sidewalk, parking lots, parking areas, and places used by the general public.

(Code 1982, § 11-29; Code 1999, § 22-191; Ord. No. 83-2, § 1, 1-17-1983)

Sec. 22-100. Possession of shopping carts.

Any person who is in possession of any shopping cart, laundry cart, dairy case, egg basket, poultry box, or bakery container with a state registered name or mark shall be presumed to be in possession of stolen property and is guilty of a misdemeanor of the first degree, punishable as provided in F.S. § 775.082.

State law reference(s)—Similar provisions, F.S. § 506.509.

Sec. 22-101. Illegal use of shopping carts and laundry carts.

It is a violation of this article:

- (1) To remove any shopping cart or laundry cart from the premises or parking area of a retail establishment with intent to deprive temporarily or permanently the owner of such cart, or the retailer, of possession of the cart.
- (2) To remove a shopping cart or laundry cart, without written authorization, from its owner or from the premises or parking area of any retail establishment.
- (3) To remove, obliterate, or alter any serial number or sign affixed to a shopping cart or laundry cart.

State law reference(s)—Similar provisions, F.S. § 506.513.

Sec. 22-102. Return of shopping carts; assessment of fees, fines, and costs.

(a) ~~(a)~~—The rightful owner of any shopping cart with a registered name or mark found on public property shall be immediately notified of its recovery.

(b) ~~The rightful owner of any shopping cart with a registered name or mark found on private property (commercial or residential) shall be immediately notified of its recovery by the property owner. Failure of~~

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<sup>1</sup>State law reference(s)—Shopping carts, F.S. §§ 506.503, 506.509, 506.513, 506.5131, 506.17.

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the property owner to make such notification and return the shopping cart shall constitute a violation of this section, punishable by a fine of \$100.00. Code Enforcement Officers and Police Officers shall have the authority to enforce the provisions of this section.

- (c) 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.

State law reference(s)—Similar provision, F.S. § 506.51341.

**Commented [TL1]:** This statute does not seem to exist

**Secs. 22-103—22-132. Reserved.**