



REQUEST FOR COUNCIL ACTION

Title: Shopping Cart Ordinance

Preferred Agenda: October 8, 2024

Submitted By: Blair Larsen, Community & Economic Development Director

Reviewed By: Jason Ogden, City Manager Pro Tem

Type of Action: Resolution ____ Motion X Roll Call ____ Other ____

Relevant Code/Policy: N/A

Towards Council Goal: Aspiration I: Desirable Community

Attachments: Ordinance Bill No. 3 for 2024 Abandoned Shopping Carts—with changes shown
Ordinance Bill No. 3 for 2024 Abandoned Shopping Carts—version ready for adoption

Purpose of this RCA:

The purpose of this RCA is to request approval and first reading of a proposed ordinance regulating abandoned shopping carts within the City.

Background/Context:

The City of Sweet Home has long dealt with shopping carts belonging to local businesses being abandoned in various parts of the City. City staff collect these carts to keep them from being an eyesore and danger to others and notify the local business that they are in the City's possession. Some businesses will collect them as soon as they are notified, while others do little to address the problem. This leaves the City with a large collection of abandoned shopping carts that they City cannot use, which takes up valuable space and staff time.

Oregon Revised Statutes chapter 98.515 and 98.520 provide requirements and authorize tools that cities can use to address this problem, including requiring that businesses include ownership and contact information on the carts themselves, post a phone number that people can call about their carts, and penalties that the City can impose on businesses that do not collect their carts within a reasonable amount of time (72 hours). In addition, the statute allows cities to take title to any abandoned shopping carts that are not claimed by the owner within 30 days. The attached proposed ordinance is required to allow the City to use these tools.

This ordinance was included in a previous City Council Meeting agenda, but pulled after discussions with local retailers. Staff invited representatives of Bi-Mart, Safeway, and Thriftway to discuss any necessary changes to the draft ordinance. The attached ordinance has been updated based on input from Bi-Mart and Thriftway (Safeway has not made any comments on the ordinance).

The Challenge/Problem:

How does the City address the problem of abandoned shopping carts? How does the City properly dispose of abandoned shopping carts in its custody?

Stakeholders:

- Sweet Home Residents – Residents deserve safe and clean neighborhoods, parks, and public and commercial areas.
- Sweet Home City Council – The City Council is responsible for enacting ordinances and regulations that meet the needs of residents, businesses, and visitors.

Issues and Financial Impacts:

This ordinance involves no financial impact to the City. Full enforcement of the ordinance is expected to decrease the amount of time staff spend collecting and trying to return shopping carts, and may bring in a small amount of revenue from the storage and sale of abandoned carts.

Elements of a Stable Solution:

A stable solution includes an ordinance that allows the City to utilize the tools authorized by the State Legislature to address this problem.

Options:

1. Do Nothing – If the Council chooses to do nothing, then the City will continue to experience the current problem with abandoned shopping carts.
2. Motion to conduct a first reading of the proposed ordinance as presented – If the voting is unanimous, a second reading, by title only, may take place during the same meeting.
3. Motion to conduct a first reading of the proposed ordinance with changes – The Council may make changes to the proposed ordinance. If the voting is unanimous, a second reading, by title only, may take place during the same meeting.
4. Direct Staff to research other ways to accomplish the same goals.

Recommendation:

Staff recommends option 2: Motion to conduct a first reading of the proposed ordinance as presented.