

Councilman
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COUNCILMEMBERS PUSH SHOPPING CART PROGRAM TO CITYWIDE POLICY

Cart Ordinance Wheels Out Blight While Allowing Retailers to Choose Containment Systems

Today, Councilmembers Tony Cardenas and Greig Smith introduced an anticipated city ordinance that will rid streets and sidewalks of hazardous abandoned shopping carts and enforce containment systems for stores whose carts are repeatedly found in neighborhoods.

The ordinance is modeled after a policy adopted by the Glendale City Council two years ago. Cardenas has been adamant about drafting the legislation after he and the Bureau of Sanitation launched a 2007 pilot program in his district where 6,880 abandoned carts were collected within a six-month period. He and his staff witnessed several close calls involving drivers swerving around carts to avoid accidents and kids using them as toys in the middle of busy streets.

Staffers also found that abandoned carts attract other neglectful activity. Old couches, broken T.V. sets, and refrigerators were many times thrown alongside the carts giving way to even more excessive illegal dumping. Loitering around carts was also common.

"This is about quality of life and public safety," said Cardenas. "Abandoned shopping carts are eye-sores that denigrate community pride and pose extreme danger when left on public streets and sidewalks. As the second largest city in the nation, it's time we follow the responsible example of other cities and pass an abandoned shopping cart ordinance."

"There has been a proliferation of abandoned shopping carts throughout the City," said Smith. "It is time to get serious about addressing this problem head-on to protect our neighborhoods."

"The Department of Public Works, Bureau of Sanitation feels confident that a practical solution to the blight caused by abandoned shopping carts is not only essential but very feasible," said Enrique C. Zaldivar, Executive Officer, Bureau of Sanitation.

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After meeting with retailers and exploring many options, councilmembers agreed that Glendale's ordinance is "effective in finally addressing the problem of abandoned shopping carts." Its ordinance states that all shopping carts must be effectively contained within store premises and provides options for methods of control. Those methods include wheel-locking devices, and other city approved systems or stopping methods.

Smith and Cardenas want to impose a containment system on businesses when five or more carts of the same retailer are found during a sweep. Businesses would be given latitude to evaluate which containment method is most effective for them including a wheel-locking system or a control method like that of Jons Markets where baggers assist customers to their cars and do not allow carts to be removed from the store by customers. Furthermore, the ordinance does not penalize all retailers but those who contribute to the majority of the problem.

Councilmembers are also asking the City Attorney to set a maximum fine for retailers who resist installing a system but whose carts continued to be found during sweeps. Some cities are fining retailers \$100 for each cart found and a penalty for not installing a containment system. Stores will also be required to post signs in multi-languages that remind customers that it is a crime to steal carts from store property.

Even though it is a crime to steal carts, rarely will a cart owner, if ever, press charges against clients for the removal of carts from their premises. In addition, the actual removal of the cart from the premises must be witnessed to be considered a theft. Consequently, city leaders say it is not feasible nor a permanent solution to utilize policing authority to cite persons with carts. Los Angeles is joined by many other California cities, such as San Jose, Long Beach, Burbank, Glendale, Berkeley, Oroville, Colton, and Milpitas who are currently researching ways to effectively address this issue or have enacted their own ordinances.

Economic loss for these retailers can be overwhelming since some carts cost up to \$100. One retailer during Cardenas' pilot program had over 900 carts collected by the city. If, for example, the carts cost \$100 each, that could have been a potential loss of \$90,000 if the carts had not been returned. Electronic/magnetic systems cost \$5000 to \$35,000. On average, it would take 12 to 18 months for the store to make up for this expense after installation. The store would continue to save the money it formerly spent on cart retrieval/replacement.

The motion introduced today asks the Planning Department and the City Attorney's Office to present a citywide ordinance to the City Council within the next 30 days. Fiscal impacts of the ordinance will be discussed at that time as well. Cardenas' original pilot program for his district was funded by the Street Furniture Account for his district in the amount of \$55,000.

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