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**Redevelopment
Division**

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Staff Report

**ITEM
NO.**

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To: Lemoore Redevelopment Agency Board
From: Judy Holwell, Redevelopment Project Manager
Date: March 13, 2007
Subject: Shopping Cart Abatement

Discussion:

There is an ongoing concern by residents and City staff alike regarding shopping carts from local businesses that are being abandoned throughout the community by the businesses' customers. The Lemoore Municipal Code (Title 4, Chapter 5 attached) addresses lost, stolen, or abandoned shopping carts and identifies related enforcement procedures.

Our Code Enforcement Officer is diligent about tagging abandoned carts and notifying the cart owners that their cart(s) need to be retrieved. If the business does not retrieve the cart(s) after three (3) days, which is required by the State of California, then the Officer retrieves the cart(s) and stores them at the City yard located at 40 'G' Street, which is an unmanned storage yard. Another condition mandated by the State is that the cart storage area must be open for business at least six (6) hours each business day for cart retrieval (Business and Professions Code Section 22435.7 attached). With the above conditions met, a fine of fifty dollars (\$50) may be imposed for each stored cart after the third occurrence in a six (6) month period.

To date, we have not been able to impose the above mentioned fine since the storage yard is unmanned. For a short period of time the carts were being stored at the Cinnamon Municipal Complex (CMC), but it was determined that the 'G' Street site was a better location. It wasn't until later that we found out the storage area needs to be manned. Staff is considering other locations for storage of carts at a staffed location and we may in fact begin storing them at the CMC again.

Ideally, shopping carts should be contained on the businesses premises. Some suggestions to reduce the number of shopping carts abandoned throughout the community are:

- Encourage current retailers providing carts for consumer use to install/implement a cart containment system or control method (i.e., Gatekeeper wheel lock system, deposit lock system, pole on cart (equipped with an anti tilt bar attached to the bottom rear) that exceeds the height of the store's exit door)

- Encourage retailers to provide personal collapsible carts at a reasonable cost to consumers
- Create an ordinance requiring new businesses to install/implement a cart containment system
- Encourage businesses to provide informational flyers to customers or post signs at the store entrances explaining that the removal of a shopping cart off the premises is illegal and can be prosecuted in court
- City could provide signage to be placed on the public right-of-way surrounding stores with shopping carts which would identify the code and legality of shopping cart removal from store premises

When Code Enforcement was moved to the Redevelopment Division effective February of 2006, shopping carts were picked up and returned to the store as it had been in prior years. Beginning in February of 2007, a tagging system was implemented to identify when and where a cart is located and what business it belongs to. One portion of the tag is attached to the cart and the Code Enforcement Officer keeps the other portion for follow-up. Once tagged, the stores are notified and they have three (3) days to retrieve the cart, otherwise it will be picked up and stored at the City yard. Because there was not a tracking system in place until 2007, the 2006 numbers are an estimate. Below are numbers comparing previous years:

Activity Statistics	2003	2004	2005	2006	2007
Total # of carts	278	213	65	72	35
Carts tagged					29
Phone calls made to business					7
Carts stored				15	25
Carts returned to store				57	3
Carts retrieved by business from City yard					24

Budget Impact:

Unknown at this time.

Recommendation:

That the Agency Board review and discuss the suggestions listed above and direct staff accordingly.