

# Agenda Report

**TO:** City Council                      **DATE:** October 20, 2003  
**FROM:** City Manager  
**SUBJECT:** ABANDONED SHOPPING CART ORDINANCE UPDATE

## RECOMMENDATION

This is an information item only.

## BACKGROUND

In response to the proliferation of abandoned shopping carts in Pasadena neighborhoods contributing to visual blight, and to increase business owners' accountability for their carts, the Pasadena City Council adopted the Abandoned Shopping Carts Ordinance (PMC Chapter 9.62) on April 8, 2002. The ordinance requires businesses that utilize shopping carts to contract with a private cart retrieval service or to submit an annual "Abandoned Cart Prevention Plan" (ACP Plan), outlining the measures they will employ to ensure carts stay on the premises.

### Implementation

Implementation of the ordinance began with a "Shopping Cart Awareness" week that publicized the new ordinance in press releases, in the City's *In-Focus* newsletters and in a special edition of *In-Focus* that was dedicated exclusively to city beautification issues.

To effect the immediate and noticeable removal of carts, the city contracted with a private vendor, California Shopping Cart Retrieval Corporation (CSCRC), to retrieve unidentified shopping carts throughout the city. The citywide sweep resulted in the retrieval of 675 carts, with 148 unidentified abandoned carts recycled. Another effort to help expedite the removal of carts from Pasadena streets was to create an Abandoned Shopping Cart Hotline (744-8CART) for the reporting of carts by the public.

Informing business owners of the new ordinance and compliance measures required Code Compliance staff to notify 48 businesses by letter requesting that they submit an ACP Plan or a plan exemption. In response, 40 businesses elected to contract with a private retrieval company, one opted to provide an ACP Plan, and seven failed to submit responses. Of the forty stores that opted to contract with a retrieval company, thirty contracted with CSCRC, five contracted with Hernandez Retrieval Service, and five contracted with Ulysses Cart Retrieval Service.

Code Compliance staff monitors compliance with the ordinance by reviewing ACP Plans, performing bi-monthly inspections of businesses to check for unidentified carts or other carts on their premises, and by calling retrieval companies quarterly to see if the businesses have up-to-date contracts. For those businesses without contracted retrieval services or an approved ACP Plan, staff issues citations to gain compliance. Of the seven non-responsive companies, two have recently complied with the ordinance and Code Compliance staff has issued citations to the other five businesses.

From April 2002 through August 2003, implementation of the ordinance resulted in the retrieval of 7,445 abandoned carts. Of these, 936 (13%) were destroyed or recycled with the city receiving credit for about 28 tons of recycled materials. Identifiable carts were returned to their respective owners. The Hotline has received 983 calls in the first eight months of 2003, or an average of 123 calls per month. (See Attachment B – Abandoned Shopping Cart Statistics)

One year after the ordinance effective date, the Neighborhood Revitalization Section recognized the need to create a proactive approach to cart removal in neighborhoods where there was a concentration of abandoned carts. Through the cooperation of the Neighborhood Connections Office and various neighborhood associations, "hot spots" where carts are frequently abandoned in the City were identified (See Attachment A – Shopping Cart Retrievals Map). In April 2003, CSCRC was asked by the city to implement a Hot Spots Program requiring two to three sweeps a day to retrieve carts in these neighborhoods before they were reported. As an incentive to provide this extra level of service eight hours a day, every day of the week, the CSCRC rewards their subcontractors with a bonus of \$1,000 a month. The program is effective in that the number of carts retrieved for the period from March through August 2003 increased from the previous six month period while hotline calls have declined.

### Offenders

Staff has examined the cart retrieval data from CSCRC for the last six-month reporting period (March – August 2003) to identify business owners with high numbers of cart retrievals. The total number of carts retrieved during this period was 2,659 with 76% of the carts belong to six businesses; Farm Fresh Ranch Market, is responsible for 1,101 or 41% of the retrieved carts. The others are Sav-on (10%), Pic-N-Sav (9%) Office Max (6%), Ross Dress For Less (5%), and Wild Oats (5%). (See Attachment B - Abandoned Shopping Cart Statistics).

### Improvements

Staff will be meeting with the six business owners to identify ways to improve their cart management practices and to ensure that they understand the city's 'zero tolerance' policy on abandoned carts. Staff will also be meeting with representatives of Hernandez Retrieval Service and Ulysses Cart Retrieval Service to emphasize the city's expectations in this matter.

Within three months of engaging in dialogue with the business owners, if the number of carts retrieved from these businesses has not significantly dropped, staff will issue citations.

Other actions staff is evaluating to improve cart retrieval and business owner accountability include:

1. Establishing a threshold for citing businesses with a record of poor cart retrieval;
2. Withholding business license approval until an approved ACP Plan or exemption is in place;
3. Withholding ACP plan renewals for businesses with outstanding citations or cart retrieval fees;
4. Amending the Shopping Cart ordinance to clarify and streamline the review and approval process for ACP plans and exemptions;
5. Monitoring approved plans, exemptions, and renewals by using the city's automated permitting system (Tidemark); and
6. Providing information to churches and community based organizations on the retrieval program and the Abandoned Shopping Cart Hotline.

### **FISCAL IMPACT**

In the April 2002 City Council report, the estimated revenue from issuance of citations for abandoned carts was \$2,000 annually. To date, Code Compliance staff has issued \$7,500 in abandoned cart citations, and has collected \$2,814 in fees for the review of ACP Plans and applications for exemptions. Staff anticipates a decrease in the CSCRC monthly invoices and eventual stabilization upon implementation of the recommended program improvements.


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Respectfully submitted,

  
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**LIST OF ATTACHMENTS:**

- ATTACHMENT A – SHOPPING CART RETRIEVALS MAP
- ATTACHMENT B – ABANDONED SHOPPING CART STATISTICS