

Agenda Report

DATE: January 6, 2003

TO: CITY COUNCIL

FROM: CYNTHIA J. KURTZ
CITY MANAGER

SUBJECT: UPDATE ON IMPACT OF ABANDONED SHOPPING CART
ORDINANCE

RECOMMENDATION

This is an information item only.

BACKGROUND

In response to the proliferation of abandoned shopping carts in Pasadena neighborhoods, and the resulting blight caused by these carts, the Pasadena City Council adopted an ordinance (PMC 9.62) on April 8, 2002 designed to eliminate or substantially mitigate the accumulation of abandoned carts in Pasadena neighborhoods by: 1) placing the responsibility of retrieval on the businesses that utilize shopping carts. 2) preventing people from taking carts off premises. And, 3) creating disincentives for the use of other markets' shopping carts by rival store owners.

The abandoned shopping cart ordinance:

- Requires all businesses that utilize carts to submit an annual "Abandoned Shopping Cart Prevention" plan and an annual fee of \$210 for processing. In that plan, the business must provide:
 - An inventory of their carts
 - A community outreach process
 - Permanent identification on the carts
 - Loss prevention measures
 - A description of an employee training program designed to prevent

- carts from being taken off premises, and
 - Mandatory retrieval if the carts are removed from your business site.
- Provides an exemption from submitting an “Abandoned Shopping Carts Prevention Plan”. To receive an exemption, the business must apply annually by doing the following:
 - a) Have a valid/current contract with a Pasadena licensed retrieval company.
 - b) Pay the \$52 processing fee, and
 - c) The owner’s carts must not have been found abandoned on 3 or more occasions during the period of 6 continuous months preceding the date of the exemption application (I have included an exemption form in this packet).
- Provides authority for code enforcement staff to monitor these businesses and issue citations to businesses using unmarked carts or carts that do not belong to them;
- Provides the City of Pasadena authority to destroy/recycle all unmarked carts found in the City’s borders.

ACTIONS TAKEN

To begin the retrieval process, staff implemented a “Shopping Cart Awareness Week” program that publicized the new ordinance in press releases, in the City’s “In-Focus” newsletters and in the special edition of “In-Focus” newsletter that focused exclusively with City Beautification issues.

Another component of the “Shopping Cart Awareness Week” program was the systematic removal of all abandoned carts from City streets. The City’s contractor (California Shopping Cart Retrieval Service) performed a citywide sweep that week and retrieved 675 carts, destroying/recycling 148 unmarked abandoned carts (known as trash carts).

A packet was sent to businesses that were categorized by the City’s business license division as “markets” and/or those that utilize shopping carts in their day-to-day business operations (e.g., Pep Boys, Michael’s, Office Max, etc.). Staff included the following in the packet: 1) A letter informing business owners of the adoption of the new ordinance; 2) A copy of the Abandoned Shopping Cart Ordinance; 3) A copy of an unmarked Prevention Plan to complete if the business was not going to contract with a retrieval company; and, 4) A copy of the exemption form (utilized if the company was going to use a retrieval service).

Sixty-eight businesses either used carts or were listed as markets. Of those 68 businesses, 6 opted to present a prevention plan, 40 opted to contract with a retrieval company, and 22 did not utilize carts (mini-marts, etc.) in their business operation.

Staff established a local hotline with an easy to remember telephone number (744-8carts) that Pasadena residents can dial to have carts removed within 24 hours. The telephone is automatically directed to the California Shopping Cart Retrieval Service's (the City's contractor) 800 number. The telephone number was publicized in various city and local publications.

To help further publicize the cart retrieval hotline number, staff created bumper stickers with a logo of a cart being hauled away and the telephone number prominently displayed. These bumper stickers have been placed on most City vehicles for display.

RESULTS

The abandoned carts are being retrieved within 24 hours of being called in. Additionally, the retrieval company has a truck combing the city eight hours a day, seven days a week retrieving abandoned carts. Marked carts are returned to their rightful owner and unmarked abandoned carts are taken to a recycling center with the City getting recycling credits for those carts. The program is working well in that field staff (code officers, graffiti staff and MASH staff) have noticed a significant reduction in the number of abandoned carts in City neighborhoods.

Thus far, the program has produced the following results:

- 3,870 carts retrieved between April 29 and October 31, 2002
- 651 trash carts destroyed/recycled
- 13.02 tons or 26,040 pounds of recycling credits received for recycling trash carts

CARTS RETREIVED

<u>Month</u>	<u>April</u> <u>(29th &</u> <u>30th)</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>Sept</u>	<u>Oct</u>	<u>Total</u>
Total # of carts	193	1236	624	420	468	483	447	3870
# of carts recycled (no name)	42 (22%)	219 (18%)	97 (15%)	62 (15%)	73 (16%)	75 (15%)	83 (18.6%)	651 (16%)

The utilization of retrieval companies has made a big impact on the number of carts left abandoned for extended periods of time. Therefore, staff is strongly encouraging businesses to contract with a retrieval company. To ensure that businesses that applied for the exemption continue to use their contractor, staff is doing the following:

1. Requiring documentation of a contract with a retrieval company.
2. Checking the retrieval logs submitted by the City contractor to see which company carts are retrieved. If the list shows carts from businesses that claim to have a retrieval service, the issue is raised with those owners.

3. Calling listed retrieval companies quarterly to make sure they are still contracted to retrieve for businesses that listed them as their retrieval company.
4. Performing bi-monthly inspections of markets to check for trash carts or other businesses carts on their premises.

FISCAL IMPACT

The original estimated cost for the program was \$20,000, which was to be absorbed in the existing department budget. At this point, the program has cost the city \$7,742 in retrieval costs (average of \$1,225/month). Almost 50% of this cost is attributed to the first month of retrievals and recycling. The number of carts retrieved following the first month has steadily declined; therefore, staff estimates that the total cost for cart retrieval for this fiscal year should not exceed \$15,000.

The original staff report estimated an annual cost recovery of approximately \$2,000 from citations. To date, code enforcement staff has issued \$7,500 in citations to markets found to be utilizing other markets' carts, and has collected \$2,396 in fees for submittals of Prevention Plans and Exemptions. Staff will continue to monitor the program and explore opportunities to reduce the City's cost.


Respectfully submitted,


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