



Shopping Cart Ordinance Update



Benjamin Moody, Development Services Director
May 4, 2021



Background

- **December 2017:**
Original ordinance adopted
- **January 2018:**
Original ordinance effective
- **September 2020:**
City Council authorized update initiation
- **November 2020:**
Workshop with local businesses
- **May 2021:**
Ordinance Update presented to City Council





Background

Yuba City has approximately 35 retail businesses that provide rolling shopping carts

<u>Store</u>	<u># of Carts</u>	<u>Store</u>	<u># of Carts</u>
99 Cent Only	60	Pet Smart	35
Bed Bath and Beyond	35	Petco	13
Bel Air	150	Raley's	162
Big Lots	33	Rite Aid	20
CVS	20	Ross	68
Dollar Tree	14	Sam's Club	500
FoodMaxx	200	Staples	35
Goodwill	<10	Target	300
Grocery Outlet	90	Grange Co-Op	74
Home Depot	185	Tractor Supply	16
Jo-Ann Fabrics & Crafts	<90	Walgreens #1	11
Kohl's	<90	Walgreens #2	<10
La Superior	45	Walgreens #3	25
Lowe's	160	Walmart	800
Marshalls	80	Winco	600
Michaels	47	Power Mart	<10
New Earth Market	77		

Background





Existing Ordinance

Summary of *Current* Regulations in Existing Ordinance

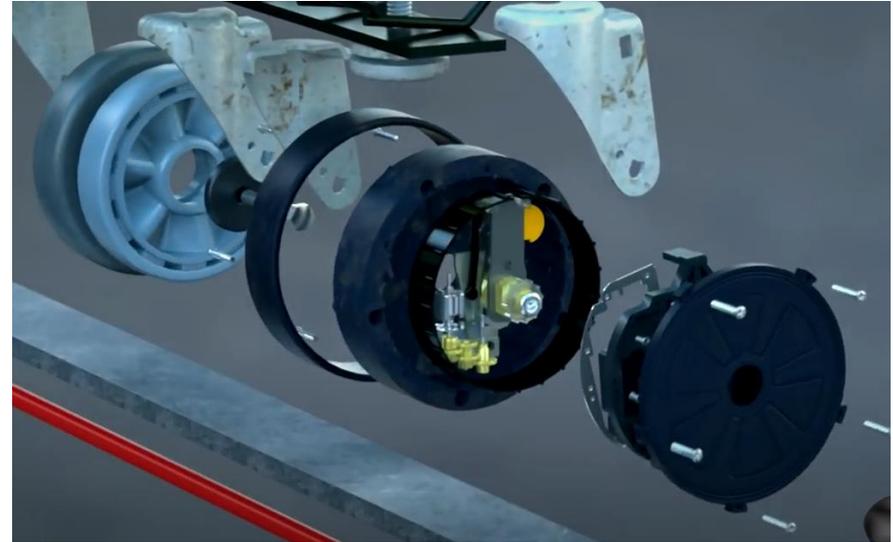
# of carts	Item
9 or fewer	Exempt from establishing an ASCPP
10-90	<ol style="list-style-type: none">Must submit an ASCPP.May elect to retrieve their own carts rather than enter into a contract with a retrieval company.Abandoned shopping carts must be retrieved within 24 hours of notice.
91 or more	<ol style="list-style-type: none">Must submit an ASCPP.Shall enter into a contract with a retrieval company.Abandoned shopping carts must be retrieved within 24 hours of notice.

New businesses with a *minimum of 10 carts* are required to install a standardized cart containment system.

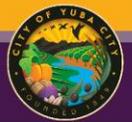
Cart Containment Systems

Existing Ordinance

- New Businesses
 - 10 or more carts - **required** to install a standardized cart containment system with a wheel locking or stopping.
- Existing Businesses Failure to Comply
 - In the event that an owner fails to utilize the shopping cart retrieval service or to follow cart prevention measures an owner *may* be required to install a cart containment system.



Standardized Cart Containment



Typical Cost

- Carts: Approximately \$120 - \$200 each
- Wheel Locking System:
 - Costs to install vary depending on the system type, number of carts, and maintenance required
 - WinCo (2019) - 600 carts, at the cost of approx. \$43,000 with maintenance costs ranging between \$800-\$1,200 per quarter due to damage of wheels and other issues that go along with the system.
 - \$72/cart installation with a \$0.56/month/cart maintenance requirement
 - FoodMaxx (2018) - 200 carts, \$30,000 with similar maintenance costs.
 - \$150/cart installation with a \$1.33/month/cart maintenance requirement



Background – yc311 Reports

YC311 Reported Abandoned Shopping Carts

Year	YC311 – Abandoned Cart Service Request
2017	697
2018	303
2019	133
2020	117



Updated Ordinance Proposal

Proposed Updates:

- Clearly outline the law and consequences
- Modify the cart threshold numbers to aid small and new businesses
- Modify the retrieval period from 24 to 72 hours
- Require businesses with 150+ shopping carts to establish a standardized shopping cart containment system
 - Provide larger businesses with an option regarding the contracted cart retrieval requirement, if an effective containment system is in place.
- Remove the “**new**” **business** requirement related to containment systems, so new businesses would adhere to the same requirements as existing businesses.



Updated Ordinance Proposal

Updated Ordinance - Summary of Regulations

# of carts	Item
9 or fewer	Exempt from establishing an ASCPP
10-149	<ol style="list-style-type: none">Must submit an ASCPP.May elect to retrieve their own carts or enter into a contract with a retrieval company.Abandoned shopping carts must be retrieved within 72 hours of notice.
150 or more	<ol style="list-style-type: none">Must submit an ASCPP.Must install a standardized cart containment system with a wheel locking or stopping mechanism.May elect to retrieve their own carts or enter into a contract with a retrieval company.Abandoned shopping carts must be retrieved within 72 hours of notice.



Updated Ordinance Proposal

Number of Carts and Stores

Number of Carts	Number of Stores
<10	3
10-40	12
40-90	10
90-150	0
150+	9

Businesses will have **one year** to install the new standardized cart containment system.



Updated Ordinance Proposal

Penalties Section

- Updated to match *Panhandling and Nuisance Ordinance*
- Infraction (2) / Misdemeanor
- The citation penalty will increase with each violation



Alternatives



1. Reject the proposed Ordinance.
2. Provide staff with direction for modifying the proposed Ordinance.



Recommendation

- A. Conduct a Public Hearing then,
- B. Introduce an Ordinance of the City Council of The City of Yuba City Amending Chapter 22 to Title 5 of The Yuba City Municipal Code Regulating Shopping Carts, and waive the first reading.

Questions?

