



**Date:** June 14, 2005

**To:** Honorable Mayor and City Council

**From:** Councilwoman Laura Richardson, Sixth District *For CLC*  
Councilmember Tonia Reyes Uranga, Seventh District *(Signature)*  
Councilmember Val Lerch, Ninth District *(Signature)*

**Subject:** **AGENDA REQUEST: SHOPPING CART ORDINANCE**

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Background

Historically, illegally moved and abandoned shopping carts in neighborhoods throughout the city have resulted in several problems. These problems have included visual blight, litter and the encouragement of various illegal activities. Additionally, abandoned shopping carts can obstruct pedestrian and automobile traffic in the public right-of-way, creating potential hazards to the health and safety of the general public.

It has come to our attention that, financially, the city's current program to retrieve shopping carts cannot adequately address the large number of carts that are abandoned on our streets and in our neighborhoods. Current retrieval efforts funded by Long Beach have been reduced to only two days per week.

Ultimately, the responsibility for controlling and retrieving shopping carts lies with those who provide shopping services. While some stores have policies in place to deter the illegal removal of carts, these steps have often been ineffective in dealing with the magnitude of the problem. These efforts can only be successful if there are adequate and effective enforcement mechanisms that hold those providers responsible. To this end, several California cities including San Francisco and Atwater have implemented local ordinances aimed at controlling abandoned shopping carts.

The California Business and Professional Code allows cities the authority to enact ordinances to address stores that use shopping carts. Given the impact of abandoned and illegally removed shopping carts on the streets and neighborhoods of Long Beach, the city should take aggressive and comprehensive steps to address this issue.

Proposed Action

It is recommended that the City Attorney prepare an ordinance requiring all businesses operating in the City of Long Beach that provide shopping carts (as defined in the California Business and Professional Code Sections 22435) for their customers to do the following as a requirement for obtaining their annual business license:

June 9, 2005

Page 2

- Submit, with their annual business license application/renewal, a copy of a certified, valid contract with a licensed cart retrieval company for 7-day retrieval service;
- Clearly identify all carts (per California Business and Professional Code 22435.1) with the name of the store, a telephone number or address for retrieval;
- Implement an effective proactive policy to return all carts to their appropriate owner.

A sample ordinance from the City of Atwater is attached for your information and review.

CLR/TL

shopping cart ordinance, city of atwater