

Memorandum



Date: November 12, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Social Equity Statement for Ordinance Amending Section 8A-76 of the Code Pertaining to Shopping Carts

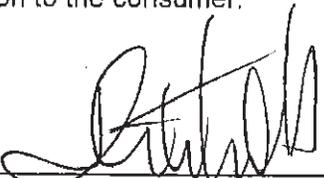
MSC
Supplement to
Agenda Item No. 1G2

The proposed ordinance amends the Code to modify regulations related to shopping carts. The Code currently requires certain establishments to affix signs stating the penalties associated for removing shopping carts off the premises, but allows any establishment to file a petition for exemption if it were to construct barriers or attach alarm mechanisms/security devices to prevent the removal of shopping carts from the property. Additionally, the Code has an existing \$100 civil penalty for any establishment not in compliance.

The proposed amendment to the Code removes the ability for any establishment to file an exemption, which in return requires that all subject establishments, where more than 15 shopping carts are in use, implement a mechanism by which to prevent the removal of shopping carts from the property. These mechanisms include the existing options of constructing barriers, alarm mechanisms/security devices, and also amends the code to allow for shopping carts with wheel locking mechanisms in conjunction with an electronic barrier along the perimeter of the property. Additionally, the Code is amended to include a civil penalty of \$250 for any establishment that fails to install barriers or anti-theft mechanisms.

For citizens residing in close proximity to retail establishments without an existing cart restraining system, there should be a reduction of shopping carts being disposed on their properties or abandoned throughout a neighborhood. This would alleviate a property owner and/or a neighborhood from eliminating this type of nuisance. For retail establishments, this proposed amendment to the Code may result in a reduction in expenses related to replacement of shopping carts removed from the premises.

Alternatively, retail locations that do not currently have a shopping cart barrier/restraining system in place will be required to incur the cost to implement, which will vary depending on the number of shopping carts and size of the property to secure. For smaller locations with limited ingress/egress, inexpensive restraint mechanisms may be available. However, larger properties including shopping centers with several retail establishments and expansive parking lots, options may be limited to more expensive systems. Additionally, costs associated in creating and affixing signage to the carts will be incurred by retail establishments that were previously granted an exemption. Lastly, the civil penalty for failure to install a shopping cart restraining system will be an additional expense for non-compliant locations. In the end, costs incurred by the retail establishment can potentially be passed on to the consumer.



Jack Osterholt
Deputy Mayor