



April 23, 2012

Honorable Ed Reyes
Chair, Planning and Land Use Committee
Los Angeles City Council
c/o City Clerk, Room 395
City Hall, 200 North Spring Street
Los Angeles, CA 90012-4801

RE: April 24 Committee Hearing
Agenda Item 11-1141, Ordinance regarding shopping carts

Dear Chairman Reyes:

On behalf of the California Grocers Association, I write to express concerns with a proposed ordinance that would require expensive on-site cart containment systems for new businesses or existing businesses that undergo remodels. While we appreciate the fact that you heard our concerns pertaining to existing businesses, we are concerned that this ordinance will put significant barriers in place for any future retailer and give existing companies a competitive advantage over any future retailers. In these tough economic times, we hope the city would look at measures that will attract economic development, not further impede it with stricter regulations.

Rather than pursuing a course of action that in effect levies a minimum \$40,000 fee per location on new grocers opting to provide carts for their customer convenience, we believe there is a solution the City could adopt that achieves the objective in a much more balanced manner.

The California Grocers Association is a non-profit, statewide trade association representing the retail food industry since 1898. CGA represents approximately 500 retail members operating over 6,000 food stores in California, many of which are located in Los Angeles. As you can imagine, virtually all of our members offer shopping carts for customer use and it is difficult to conceptualize a family successfully navigating their weekly grocery purchases without shopping carts.

The theft and abandonment of shopping carts is a problem that neighborhoods, retailers and the city share. Removing shopping carts from store parking lots is illegal under California State law just as stealing any other item from a grocery store is illegal. In reality, it is individuals perpetrating theft who are responsible for abandoned shopping carts, not the businesses from which the property is being stolen.

Many grocers already utilize systems to retrieve stolen and subsequently abandoned shopping carts. We would like the City to focus on such retrieval efforts, instead of mandating exorbitantly-priced shopping cart “containment” systems.



While we appreciate the challenges the City is attempting to address, a better approach would be for the City to adopt an ordinance that mandates retrieval for all retailers providing carts to their customers, which would provide a level playing field among companies. If those retrieval efforts fail, an ordinance could incorporate a mandate for the costly containment systems at specific stores. Numerous California jurisdictions have used such “tiered” ordinances and successfully resolved their concerns.

In many successful ordinances, retailers offering shopping carts for use by their customers are required to file plans with the City outlining steps taken to help prevent theft of their shopping carts and plans for retrieval of carts that are stolen by shoppers, City residents and visitors. On behalf of its member companies, CGA would be happy to work collaboratively with the City on such an approach. We are aware of several specific ordinances that could be used as a model for that type of collaborative approach.

One thing is certain - the unfortunate circumstance of stolen and abandoned shopping carts has at least three real victims. Communities are of course victims when abandoned shopping carts become an eyesore. City officials are victims when they are called upon to address problem they did not create. And we cannot forget that retailers are victims as well when valuable property is stolen from them. While we all would love to live in a world where individuals did not steal shopping carts, let alone other property, we simply do not.

Thank you for your consideration of our concerns and please know that the grocery industry will work with the City on this important issue. Please contact me at ssheehy@cagrocers.com or (818) 841-8640 to discuss this matter.

Thank You,

Sarah Paulson Sheehy
Director, Local Government Relations

cc: Members, Planning and Land Use Committee, Los Angeles City Council
Ms. June Lagmay, City Clerk, City of Los Angeles
Mr. Gerry Miller, Chief Legislative Analyst, City of Los Angeles
Mr. Michael Espinosa, Legislative Assistant, City of Los Angeles

