

182121
ORDINANCE NO. _____

An ordinance amending Subsection F of Section 12.21 of the Los Angeles Municipal Code to require on-site shopping cart containment systems for new retail establishments, and major remodels thereof, that provide six or more shopping carts for use by patrons.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection F of Section 12.21 of the Los Angeles Municipal Code is amended to read as follows:

F. On-Site Shopping Cart Containment.

1. **Purpose.** It is the purpose of this subsection to prevent or reduce the accumulation of shopping carts abandoned in neighborhoods. Abandoned shopping carts cause visual blight in neighborhoods, reduce property values in communities, obstruct pedestrian and vehicular traffic in the public rights-of-way, and constitute a hazard to the health, safety, and general welfare of the public throughout the City of Los Angeles. Therefore, development standards are established for projects involving any new retail establishment, or the major remodel of a retail establishment, that provide six or more shopping carts on-site for use by its patrons.

2. **Definitions.** Notwithstanding any provisions of this Code to the contrary, the following definitions shall apply to this subsection:

(a) **Abandoned Shopping Cart.** A shopping cart located beyond the premises of a retail establishment that furnishes shopping carts for use by its patrons.

(b) **Bollard.** An upright post consisting of a piece of timber, concrete, metal or similar material fixed firmly in an upright position that creates a narrowed passageway restricting the removal of shopping carts from the premises.

(c) **Bureau of Street Services.** The Bureau of Street Services of the Department of Public Works or successor agency.

(d) **Major Remodel.** A major remodel is either:

(1) An addition in excess of 50 percent of the current floor area of a retail establishment that provides at least six or more shopping carts for its patrons, or

(2) An alteration, repair, remodel, or addition with a total building permit valuation in excess of 50 percent of the replacement cost of a building, or portion of a building, occupied by a retail establishment that provides at least six or more shopping carts for its patrons.

(e) **Parking Area.** The parking lot or other property provided by a retail establishment for use by its patrons for parking automobiles or other vehicles.

(f) **Premises.** The area maintained or managed by a retail establishment that provides at least six or more shopping carts for its patrons, including the building, parking area, and adjacent walkways.

(g) **Project.** A new retail establishment, or the major remodel of a retail establishment, that provides or maintains at least six or more shopping carts for use by its patrons.

(h) **Shopping Cart.** A basket of any size, mounted on wheels, rollers or a similar device, including parts, provided by a retail establishment for the purpose of transporting groceries or merchandise of any kind within a retail establishment or parking area of that retail establishment.

4. **Application.** The development standards and containment methods set forth herein to contain shopping carts on premises shall apply to new retail establishments, or the major remodel of retail establishments, after the effective date of this ordinance.

5. **Containment Methods.** A project shall include at least one of the permitted methods to contain shopping carts on the premises. Permitted methods are limited to:

(a) **Bollards.** Installation of bollards;

(b) **Wheel Locking or Stopping Mechanisms.** Equipping shopping carts with a wheel locking or stopping mechanism that is used in conjunction with an electronic magnetic barrier along the perimeter of the retail establishment. The wheel locking or stopping mechanism must activate when the shopping cart crosses the electronic or magnetic barrier;

(c) **Customer Service.** Designation of certain employees to prevent the removal of shopping carts from the premises by assisting patrons with transporting groceries or merchandise to patrons' vehicles and then returning shopping carts to the location where the retail establishment keeps the shopping carts for its patrons;

(d) **Other Methods.** Other methods for onsite containment so long as the Bureau of Street Services has approved the system or method which would effectively contain or control shopping carts on the premises.

6. **Enforcement.** Notwithstanding the provisions of Section 12.26 of this Code, the Bureau of Street Services shall have the authority and responsibility to enforce this subsection.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles at its meeting of MAY 08 2012

JUNE LAGMAY, City Clerk

By [Signature] Deputy

Approved MAY 10 2012

[Signature] Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By [Signature]
PETER NELSON KING
Deputy City Attorney

Date 2/13/11

File No(s). CF 11-1141; CPC 2010-1073-CA,
ENV-2010-1074-ND

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted

February 12, 2012

See attached report.

[Signature]
Michael LoGrande
Director of Planning

DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 182121 – Amending Subsection F of Section 12.21 of the Los Angeles Municipal Code to require on-site shopping cart containment systems for new retail establishments, and major remodels thereof, that provide six or more shopping carts - a copy

of which is hereto attached, was finally adopted by the Los Angeles City Council on **May 8, 2012**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **May 11, 2012** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows:

1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **May 11, 2012** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **11th** day of **May 2012** at Los Angeles, California.



Maria Vizcarra, Deputy City Clerk

Ordinance Effective Date: June 20, 2012

Council File No. 11-1141