

# Memorandum



CITY OF DALLAS

DATE January 28, 2011

TO Honorable Mayor and Members of the City Council

SUBJECT Proposed Plan to Address Abandoned Shopping Carts Briefing

On Wednesday, February 2, 2011 you will be briefed on the Proposed Plan to Address Abandoned Shopping Carts. The briefing material is attached for your review.

If you have questions or need additional information, please let me know.

A handwritten signature in black ink, appearing to read 'Forest E. Turner'.

Forest E. Turner  
Assistant City Manager

## Attachment

c: Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr., City Attorney  
Deborah Watkins, City Secretary  
Craig Kinton, City Auditor  
Judge C. Victor Lander, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
A.C. Gonzalez, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Frank Libro, Public Information Officer  
Helena Stevens-Thompson, Assistant to the City Manager – Council Office  
Joey Zapata, Director, Code Compliance Department

# Proposed Plan to Address Abandoned Shopping Carts

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Presented to the City Council  
February 2, 2011

# Outline

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Residential alley, 2200 block of Clover Ridge  
1,300 feet from Minyard's Store

- Background
- Existing City Ordinance
- Features in Other Cities' Ordinances
- Merchant Input
- Community Input
- Pilot Program
- Recap
- Next Steps

# Background

- ❑ Merchants and retailers provide carts as a convenience to customers
- ❑ Both merchants and the City share a common goal in keeping carts on stores' premises
- ❑ When carts are taken off the property by customers, this is theft



Bus stop, Northwest Highway at Ferndale Rd.

500 feet from Wal-Mart Store

# Background

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Residential area, S. Lancaster and E. Ledbetter Rd.  
2,000 feet from nearest grocery (owner unidentified)

- ❑ Abandoned carts create nuisances, and safety hazards, including:
  - Litter violations
  - Street and sidewalk obstructions
  - Drainage blockages in waterways
- ❑ All neighborhoods and apartments are prone to problems associated with abandoned carts

# Background

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- Vickery Meadows Improvement District has been affected by abandoned carts
  - Implemented a cart collection program in collaboration with some merchants
  - 1,500 carts in 2008, 1,700 in 2009 and approximately 2,000 in 2010
  - Video showing the problem is on YouTube at <http://www.youtube.com/watch?v=c-mTR99Njts>

# Existing City Ordinance

- ❑ Shopping carts are regulated in Section 31-40, Offenses – Miscellaneous, of the Dallas City Code
- ❑ City Council adopted Ordinance No. 25439 on November 12, 2003
  - Violation to possess a cart off merchant property
  - Merchants required to place contact information and removal warning on carts
  - Owner pays the City \$25 per abandoned cart collected by the City
- ❑ Council Members requested strengthened ordinance in November 2010



Bus stop, S. Polk St. at W. Camp Wisdom Road  
1000 feet from Minyard's Store

# Features in Other Cities' Ordinances

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- ❑ Merchant responsibilities
  - Mandatory registration or permitting with fee
  - Carts must be secured when the store is closed
  - Off premise carts must be picked up within specified hours of notice (range from 4 to 48 hours)
  - Readily-identifiable carts with owner information
    - ❑ Attach graphic identifying the owner to each cart
    - ❑ Consistent, distinctive color scheme (chain stores may be exempted)
  - Implement an abandoned cart prevention program
    - ❑ Implement specific physical loss prevention measures, such as electronic disabling devices, security personnel, contracted cart retrieval services, employee training, etc.
    - ❑ Provide community outreach

# Features in Other Cities' Ordinances

- City responsibilities
  - Attempt notification to owner and time to retrieve it
  - City has the right to pick up carts without notifying the owner
  - City may impound abandoned carts, and return them for a fee
  - City may dispose of unclaimed carts after 30 days written notice



LBJ at Forest Lane

2,600 feet from Wal-Mart Store

# Merchants' Feedback

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- ❑ Staff has requested input from representatives with area merchants and business organizations
  - Fiesta, Kroger, Safeway, Target, Walgreen's, Wal-Mart
  - Texas Grocery and Convenience Store Association
- ❑ Merchants' feedback included:
  - Grocers do not want to lose carts, but do not mind borrowed and returned carts
  - Many merchants have preventative measures in place, but none are 100% effective
    - ❑ Not all merchants have this problem and solution should not burden those
  - Open to pilot testing solutions in problem areas to identify best solutions

# Community Feedback

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- ❑ Staff has requested input from stakeholders from homeowner associations (HOA), neighborhood associations (NA) and homeowner crime watches (CW), and other groups
  - Exline HOA, Charles Rice HOA, Valley View HOA/VIP, Wynnewood Heights NA, Buckner Terrace HOA, Kidd Springs HCW, Arden Terrace HOA, Woods/Sugarberry HOA, Oak Cliff Community Development, Apartment Association of Greater Dallas, Vickery Meadows Improvement District and property owners
- ❑ Stakeholders' feedback included:
  - Believe that merchants will not take stronger action without a City ordinance requiring it
  - Generally support increase in abandoned cart collection by the City or contractor at higher cost than current \$25

# Staff Recommendation

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- ❑ Implement a six-month pilot program to identify collaborative solutions
  - March 1 through August 31, 2011
  - Target five test areas to assess and test different areas of Dallas
    - ❑ Partner with area merchants and stakeholders to implement collaborative preventive measures to abandoned shopping carts
    - ❑ Increase abandoned cart collection by City crews
  - Measure and assess effectiveness of preventative programs, required resources and collection frequency, and impact to communities
  - Provide results and recommendations to Council in October 2011

# Recap

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- ❑ Merchants, stakeholders and the City have a common goal in preventing abandoned carts, which create nuisances, and safety hazards, including:
  - Litter violations
  - Street and sidewalk obstructions
  - Drainage blockages in waterways
- ❑ Dallas regulates carts in Section 31-40, Offenses – Miscellaneous, of the Dallas City Code adopted by City Council on November 12, 2003
- ❑ Comparable cities' abandoned cart programs are one-size fits all and require registration programs, specific preventative measures by merchants and stronger penalties for violations
- ❑ A six-month pilot program in Dallas would identify collaborative solutions and any required changes to the City's ordinance
  - Recognize merchants' voluntary efforts to prevent abandoned shopping carts
  - Target active enforcement and cart collection efforts where needed

# Next Steps

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- February 2: Receive council direction
- March 1 through August 31: Conduct pilot program
- October 2011: Provide recommendations to City Council