

Request for Decision

Abandoned Shopping Carts

Presented To: Policy Committee

Presented: Wednesday, Nov 16, 2011

Report Date Tuesday, Nov 01, 2011

Type: Managers' Reports

Recommendation

Staff are recommending continuing the monitoring program and embarking on a public awareness campaign (Option #2) as detailed in the General Manager of Growth and Development report dated November 1, 2011.

Background

The following motion was presented by Councillor Cimino and supported by Council:

WHEREAS grocery carts are often abandoned on public and private property within the City of Greater Sudbury;

AND WHEREAS abandoned grocery carts can create hazardous situations and are esthetically displeasing;

AND WHEREAS not all businesses within the City of Greater Sudbury have a cart retrieval plan in place, resulting in carts remaining abandoned indefinitely;

THEREFORE BE IT RESOLVED THAT the Council for the City of Greater Sudbury direct staff to investigate effective options, including the possibility of establishing a by-law, so as to reduce the number of abandoned shopping carts in the City and to report those options to Council's Policy Committee by the end of October, 2011.

Review by staff:

Three staff members were assigned to review the matter of abandoned shopping carts (Kristen

Signed By

Report Prepared By

Chantal Mathieu
Manager of Environmental Services
Digitally Signed Nov 1, 11

Division Review

Chantal Mathieu
Manager of Environmental Services
Digitally Signed Nov 1, 11

Recommended by the Department

Bill Lautenbach
General Manager of Growth and Development
Digitally Signed Nov 8, 11

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Nov 8, 11

Newman in Legal; Darlene Barker in By-law and Chantal Mathieu in Environmental Services).

Following the first meeting, it was agreed that each staff member would seek information from the respective field. The following municipalities indicated that they have by-laws for regulating abandoned shopping carts: Markham, Mississauga and Guelph. Staff located by-laws from the following municipalities outside of Ontario which regulate abandoned shopping carts by by-law: Halifax, NS, Dollard-des-Ormeaux, QC, Vancouver, BC and Calgary, AB. Toronto indicated that it does not have a by-law and that a cart retrieval corporation was formed by retailers which picks up carts from City property.

A few by-law examples from various Cities were found which generally contain the following: requirement that carts be identified (company name, message that carts should not be removed from the premise etc), retailers have a mandatory plan to prevent cart removal, a removal plan and fines/penalties for the enforcement of the by-law.

Staff also agreed that seeking input from the owners of shopping carts would provide information that may be useful to Council in determining the path forward. A survey was drafted and was mailed to approximately 130 businesses. The survey requested information on carts, whether carts were permitted off site, details on cart management practices and a general comment area. Approximately 43 responses were received and a few comments are enclosed (refer to the text box).

As directed by Council, staff is providing the following options:

Option #1 Development of a by-law with enforcement resources -

There is some reluctance from retailers to have a by-law passed as many of them have cart programs in place. The persons at the centre of the problem are the persons taking the carts from the retailers' properties. Theft of private property is a *Criminal Code* issue enforced by the Police. The retailers would be the persons to which a by-law would apply, not the persons removing the carts from private property. A by-law would also require that additional resources be set aside for the By-law Enforcement Section.

Option #2 Monitoring & Awareness Program -

- Continue the existing monitoring program:
 - Concerned citizens may call the City at 3-1-1 to report an abandoned shopping cart. The location of the cart will then be provided to either the store owner or a cart retrieval company.
 - City waste collection staff to make location notes of abandoned shopping carts on public property. This information is compiled and also provided to either the store owner or a cart retrieval company.
- Undertake an awareness campaign to inform shopping cart users to not remove carts from store premises:
 - This information could be included in the corporate communication newsletter, on the City's website and as a Public Services Announcement.
 - Provide a copy of Appendix 1 and advise store owners to post it within their stores (at the cash, near the exit etc.).
 - Request that a notice to not remove carts from properties be placed on shopping carts. Refer to Appendix 2 as an example.

- Advise shopping cart owners to ensure that their shopping carts are clearly identified and retrieved promptly. This includes retrieving their shopping carts daily from surrounding bus stops, bus shelters etc.

Option #3 Combination of Option #1 and Option #2

At this time, staff are recommending continuing the monitoring program and embarking on a public awareness campaign (Option #2) and that the development of a by-law not be considered at this time.

“The public needs to be made aware of the situation and it should be clearly stated that it is a crime to take retail property off the premises and that they will be charged; and it is not just a rule from the retailer.”

“It is up to the retailer to control their problem, not the city. The imposition of another "Business Tax" for the retrieval of carts should not even be contemplated.”

“If the purpose of the bylaw is to force retailers to enforce keeping carts on our premises, you are just driving the cost of doing business up. Maybe a solution would be to deal with individuals that remove the carts from the premises...which is theft. “

“This is a theft problem for retailers. There are already laws concerning theft. What is needed is enforcement!!!”



Shopping carts are not to be removed from the store property!

Les charriots ne doivent pas être retirés de la propriété du magasin.



Appendix 2

