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DEPARTMENT OF
TRANSPORTATION

CITY OF SACRAMENTO
CALIFORNIA

660 J STREET
ROOM 250
SACRAMENTO, CA
95814-2413

OFFICE OF THE DIRECTOR

PH 916-808-7100
FAX 916-808-5573

April 5, 2005

Law & Legislation Committee
Sacramento, California

Honorable Members in Session:

**SUBJECT: 1) AN ORDINANCE ADDING SECTION 9.16.160 TO THE
SACRAMENTO CITY CODE, PROHIBITING SHOPPING CARTS IN ALL
CITY PARKING FACILITIES**

**2) AN ORDINANCE ADDING SECTION 12.44.075 TO CHAPTER 12.44
OF THE CITY CODE PERTAINING TO PEDESTRIAN MALLS**

LOCATION AND COUNCIL DISTRICT: Citywide, All Districts.

RECOMMENDATION:

This report recommends that the Law & Legislation Committee approve and forward to the City Council the attached ordinances, which would:

- 1) Prohibit shopping carts in all City parking facilities
- 2) Prohibit shopping carts in pedestrian malls

CONTACT PERSON: Azadeh Doherty, Staff Aide, 808-3137

FOR LAW & LEGISLATION COMMITTEE MEETING OF: May 3, 2005

SUMMARY:

This report recommends prohibiting shopping carts in all City parking facilities and in pedestrian malls in order to promote and protect the health, welfare and safety of the public. Shopping carts interfere with the safe movement of pedestrians and cars. Furthermore, they obstruct traffic and occupy limited parking spaces making them unavailable for use by customers.

Department of
TRANSPORTATION
City of Sacramento

"Moving forward together..."

COMMITTEE/COMMISSION ACTION: None

BACKGROUND INFORMATION:

The City has an existing shopping cart ordinance, which makes it unlawful for any person to cause or permit any cart to be abandoned on or upon any sidewalk, street or other public area or any private property other than the premises of the owner of such cart. These ordinances will prohibit shopping carts in City parking facilities and pedestrian malls.

As the City of Sacramento continues to grow, there will be an increased demand for parking in all City parking facilities by businesses, employees, and residents who are located near these facilities. However, the City's parking facilities were not designed to safely accommodate the use of shopping carts. These new ordinances will enable the City's Parking Services Division to manage the future demand for parking more effectively while providing safe access to its facilities.

In addition, the City's existing Pedestrian Malls ordinance makes it unlawful for any person to roller skate, ride on a skateboard or operate any device having wheels on any mall. The amendment to this existing ordinance will expand the law to prohibit shopping carts in pedestrian malls in order to protect the safety of the City's citizens and visitors.

FINANCIAL CONSIDERATIONS:

At this time, no additional resources are being requested. Enforcement of this new ordinance falls under the authority of the Code Enforcement Division.

ENVIRONMENTAL CONSIDERATIONS:

The proposed ordinances do not involve an activity that may cause a direct or indirect change in the environment and, therefore, do not require compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21065).

POLICY CONSIDERATIONS:

These actions are consistent with the goal of the City of Sacramento's Strategic Plan that promotes and supports economic vitality. These ordinances will enable the customers of all business establishments to have access to all City parking facilities garages and pedestrian malls in a safe and secure manner.

Law & Legislation Committee
Ordinance to Prohibit Shopping Carts in City Owned Public Garages
April 5, 2005

ESBD CONSIDERATIONS: The actions considered in this report are not subject to the City's ESBD requirements.

Respectfully submitted,



Howard Chan
Parking Manager

RECOMMENDATION APPROVED:



Ken Nishimoto
Assistant City Manager

Approved:



Marty Hanneman
Director, Department of Transportation

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S/Office of the Director/Azzie/Staff Report for Law&Leg Comm

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE ADDING SECTION 9.16.160 TO THE
SACRAMENTO CITY CODE, PROHIBITING SHOPPING CARTS IN ALL CITY
PARKING FACILITIES**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1

Section 9.16.160 is added to the Sacramento City Code, to read as follows:

Section 9.16.160 PROHIBITION OF SHOPPING CARTS IN ALL CITY PARKING FACILITIES

A. Findings and Intent.

1. Abandoned shopping carts create a potential hazard to public safety and interfere with the safe movement of pedestrians and cars.
2. Abandoned shopping carts occupy limited parking spaces making them unavailable for use by customers.
3. The intent of this ordinance is to prohibit shopping carts in all City parking facilities in order to protect the safety of pedestrians and facilitate vehicular traffic.
4. Therefore, the City Council finds that prohibiting shopping carts in City parking facilities will further public safety.

B. Definitions

“Shopping Cart” means a basket that is mounted on wheels or a similar device that is provided by an owner to a customer for the purpose of transporting goods of any kind.

FOR CITY CLERK USE ONLY

ORDINANCE NO: _____

DATE ADOPTED: _____

C. Shopping Carts in City parking facilities

It is unlawful to enter a City parking facility with a shopping cart or to temporarily or permanently locate or abandon a shopping cart in a City parking facility.

D. Enforcement.

Any person who violates this section shall be guilty of an infraction.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO: _____

DATE ADOPTED: _____

ORDINANCE NO. _____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE ADDING SECTION 12.44.075 TO CHAPTER 12.44 OF THE CITY CODE PERTAINING TO PEDESTRIAN MALLS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 12.44.075 is added to the Sacramento City Code, to read as follows:

12.44.075 Shopping Carts prohibited in Pedestrian Malls

No person shall enter a pedestrian mall with a shopping cart or temporarily or permanently locate or abandon a shopping cart in a pedestrian mall. For purposes of this section, "shopping cart" is defined in section 9.16.160.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO: _____

DATE ADOPTED: _____