



ORDINANCE NO. 5954

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) CHAPTER 7.84.190 REQUIREMENTS FOR SHOPPING CART PROVIDERS AND 7.84.200 RETRIEVAL AND DISPOSAL OF CARTS – FEES.

WHEREAS, the City of Albany City Council is amending AMC Chapters 7.84.190 requirements for shopping cart providers and 7.84.200 retrieval and disposal of carts – fees; and

WHEREAS, shopping carts are found abandoned throughout the city of Albany along streets, in the public right-of-way, and in waterways; and

WHEREAS, these abandoned shopping carts pose a threat to the safety of pedestrians and waterways; and

WHEREAS, the existing code provides unrealistic goals and limitations to abatement of the blight.

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Amending AMC Title 7, Public Nuisances. AMC Chapters 7.84.190 Requirements for shopping cart providers and 7.84.200 Retrieval and disposal of carts – fees, are hereby amended to read:

7.84.190 Requirements for shopping cart providers.

A person, business, or entity that supplies shopping carts for public use shall:

- (1) Post signs in sufficient number to give notice to members of the public entering onto or leaving the business premises that unauthorized appropriation of a shopping cart is a crime under ORS [164.015](#).
- (2) Identify the person, business, or entity that holds ownership on each shopping cart.
- (3) Establish and maintain, at the expense of the person, business, or entity, a shopping cart retrieval group.
- (4) Retrieve abandoned shopping carts belonging to the person, business, or entity. (Ord. 5879 § 1, 2016; Ord. 5694 § 1, 2008. Formerly 7.84.210).

7.84.200 Retrieval and disposal of carts – Fees and Penalties.

(1) A person, business, or entity shall retrieve a shopping cart that the person, business, or entity owns within 72 hours after receiving notification that the shopping cart has been abandoned. A shopping cart shall be determined to be abandoned if it is identified off of the premises where it is intended for normal business use.

(2) If the City identifies, salvages, takes custody, or reclaims an abandoned shopping cart, it shall contact the person, business, or entity to report the existence and location of an abandoned shopping cart, if the owner is identifiable.

(3) If the owner is unidentifiable, the shopping cart may be immediately disposed of as the City deems appropriate.

(4) The City may impose a fine of \$50.00 on the owner, business, or entity of the shopping cart if they do not retrieve the shopping cart within 72 hours after they receive a report of its existence.

(5) The City may release a shopping cart in the City of Albany's custody to the owner upon payment of the \$50.00 fine.

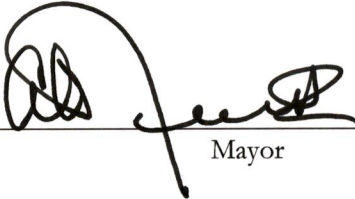
(6) The City may take title to a shopping cart in the City of Albany's custody and dispose of the shopping cart as the City of Albany deems appropriate if the owner does not claim the cart within 7 calendar days. (Ord. 5879 § 1, 2016; Ord. 5694 § 1, 2008. Formerly 7.84.220).

(7) In addition to the fees listed in AMC 7.84.200(1) through 7.84.200(6), any person, business, or entity violating any provision of AMC 7.84.190 through 7.84.200 is subject to those penalties set forth in AMC 1.04.010.

Passed by the Council: 3/10/2021

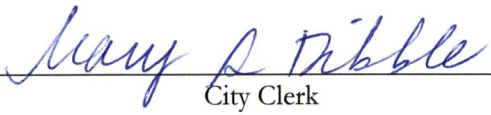
Approved by the Mayor: 3/10/2021

Effective Date: 4/9/2021



Mayor

ATTEST:



City Clerk

