



Shopping Cart Containment Plan



A. General Information

Encinitas Municipal Code (EMC) Chapter 9.85 – City of Encinitas Shopping Cart Ordinance provision 9.85.090 requires that all Shopping Cart Owners shall submit a Shopping Cart Containment Plan. This plan has been developed to provide a model guidance for Shopping Cart Owners (as defined in the ordinance) and may be used, at the discretion of the City, to satisfy the requirements for a Shopping Cart Containment Plan as established in the ordinance. All sections of this form must be filled out completely and any required attachments must be submitted with this plan. Information provided in the Shopping Cart Containment Plan may be validated through inspection by the City. Please submit a completed plan and any required attachments to: shoppingcarts@encinitasca.gov

Store Name: _____ Store Hours of Operation: _____
Store Address: _____ Store Business License #: _____
Store Phone Number: _____ Store Number: _____
Store Contact Name: _____ Store Contact Title/Position: _____
Store Contact E-Mail: _____ Store Contact Phone #: _____
Shopping Cart Inventory (Total Number of Shopping Carts): _____

B. Required Shopping Cart Removal and Abandonment Prevention Measures (EMC 9.85.060)

Please Verify Each of the Following:

1. Each Shopping Cart has been affixed with ownership information consistent with EMC 9.85.060. ☐ Yes ☐ No
2. Visible Signage has been placed near all customer exits and in parking lots notifying the public that the removal of shopping carts off the premises is unlawful. ☐ Yes ☐ No
3. Shopping Carts are effectively secure during non-operating hours. ☐ Yes ☐ No
4. Please provide any additional information to describe how shopping cart signage and/or shopping cart removal warning sign requirements are being met:

C. Required Physical Shopping Cart Containment Measures OR Shopping Cart Retrieval Services (EMC 9.85.070)

Please Provide All Applicable Information:

1. Physical Shopping Cart Containment Measures Implemented:

☐ Physical Disabling System ☐ Security Deposit ☐ Security Personnel ☐ Physical Barriers ☐ Other: _____

AND/OR

2. Shopping Cart Retrieval Service Agreement (*REQUIRED – Please Provide a Copy of Current Service Agreement)

Retrieval Company Name: _____ Contact Name: _____
Retrieval Company Address: _____ Contact E-Mail: _____
Retrieval Company Phone Number: _____ Retrieval Agreement Attached: ☐ Yes ☐ No



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REQUIRED SHOPPING CART REMOVAL AND ABANDONMENT PREVENTION MEASURES (EMC 9.85.060)

- A. Shopping Cart Ownership Identification
 - 1. Each owner must permanently affix ownership information to each shopping cart that includes the owner's name, address, phone number and other information as required by Business and Professions Code section 22435.1.
- B. Shopping Cart Removal Warning Signs
 - 1. Visible signage that conform to the requirements of Chapter 30.60 shall be placed near all customer entrances and exits and in parking lots, notifying the public that removal of shopping carts off the premises is prohibited by this Chapter.

REQUIRED PHYSICAL SHOPPING CART CONTAINMENT MEASURED OR RETRIEVAL SERVICES (EMC 9.85.070)

- A. All owners are required to implement physical shopping cart containment measures and/or enter into an agreement with a shopping cart retrieval service consistent with the following provisions:
 - 1. Physical shopping cart containment measures must include at least one (1) of the following:
 - a. Physical disabling devices on all shopping carts;
 - b. Security deposit requirement for use of shopping carts;
 - c. Use of a security guard or security service to prevent removal of shopping carts from the premises;
 - d. Installation of bollards, chains, or other physical barriers to prevent removal of shopping carts from the premise;Or
 - e. Any combination of the above measures as necessary to effectively prevent the removal of shopping carts from the premises.
 - 2. Shopping cart retrieval service agreements must meet the following requirements:
 - a. Each owner that elects to secure a shopping cart retrieval service agreement must continuously maintain an agreement with a shopping cart retrieval service to search for, locate, and return shopping carts removed from the premises. Self-service cart retrieval is not an allowable option.
 - b. Shopping cart retrieval service agreements must require that shopping carts located off premises, regardless of distance, jurisdictional boundary, or reporting party, will be located, and returned no later than two (2) business days after the owner or retrieval service has been notified.

SHOPPING CART CONTAINMENT PLAN (EMC 9.85.090)

- A. All owners shall submit a Shopping Cart Containment Plan, to the satisfaction of the City, no later than (30) days after the effective date of this Ordinance. The Shopping Cart Containment Plan shall include:
 - 1. Identification of the Owner: The name, address, phone number, of the business establishment and the owner.
 - 2. Shopping Cart Inventory: The total number of shopping carts maintained on the premises.
 - 3. Shopping Cart Ownership Identification and Shopping Cart Removal Warning Signs: A description of required ownership identification and removal warning signs, including a description of the location of sign placement.
 - 4. (a) Physical Shopping Cart Containment Measures: A description of physical shopping cart containment measure(s), consistent with Section 9.85.070(1) of this Ordinance.Or;
 - (b) Shopping Cart Retrieval Service: Shopping cart retrieval service agreement information including the name of the service provider and all direct contact information including contact name, address, phone number, and e-mail address. Provided that all required information is included, a copy of the current and fully executed service agreement may be submitted to fulfill this requirement.
 - 5. Shopping Cart Security: Verification that shopping carts are locked or otherwise secured during hours when the premises are not open for business.
- B. All owners shall annually certify that all information provided in the shopping cart containment plan is accurate and true. Owners shall provide updated information to the City as needed to ensure accurate information is maintained and current, and to ensure that all related requirements are being satisfied.

ENFORCEMENT

Please be advised the failure to comply with EMC 9.85 may result in enforcement action by the City, including but not limited to, monetary penalties.