



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2671
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STAFF REPORT
July 26, 2005

Honorable Mayor and
Members of the City Council

Subject: Prohibition of Commercial Shopping Carts in City Parking Facilities and in Pedestrian Malls

Location/Council District: Citywide

Recommendation:

1) Adopt 1st reading of an Ordinance prohibiting commercial shopping carts in all City parking facilities; 2) Adopt 1st reading of an Ordinance prohibiting commercial shopping carts in pedestrian malls; and 3) pass both titles for publication continuing to August 2, 2005 for 2nd reading.

Contact: Azadeh Doherty, Staff Aide, 808-3137
Howard Chan, Parking Manager, 808-7488

Presenters: Howard Chan

Department: Transportation

Division: Parking Services

Organization No: 3461

Summary:

Staff recommends prohibiting commercial 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. Commercial shopping carts interfere with the safe movement of pedestrians and vehicles. Furthermore, they obstruct traffic and occupy limited parking spaces making them unavailable for use by customers.

Committee/Commission Action:

On May 3, 2005 the Law and Legislation Committee heard this item and voted 4-0 to forward staff's recommendation to the full council.

Background Information:

The City has an existing shopping cart ordinance (Ordinance no. 5.82), 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 two proposed new ordinances will prohibit commercial shopping carts in City parking facilities and pedestrian malls. Pedestrian Mall is defined in Title 12 Streets, Sidewalks and Public Places, Chapter 12.44, Section 12.44.020 of the City Code.

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 located near these facilities. The width of travel lanes in most garages is approximately 13 to 20 feet, which is only wide enough to accommodate the safe movement of vehicles. The presence of commercial shopping carts in parking garages will hinder the safe passage of vehicles and pedestrians by completely or partially obstructing these traffic lanes. In general, the design features of parking garage structures are not compatible with the safe use of commercial shopping carts. Because parking garages have many sloping ramps, the potential is very high for runaway carts to cause damage to vehicles and possibly injure pedestrians using the parking garage. Visibility in the parking garages is already limited due to the size and number of structural columns, but will be further reduced with the presence of shopping carts. Furthermore, garage elevators are not designed to accommodate commercial shopping carts.

The purpose of ordinance No. 9.16.160 is to allow 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 Code regarding Pedestrian Malls makes it unlawful for any person to roller skate, ride on a skateboard or operate any device having wheels in any mall except for individuals with disabilities or exempted per the City Code section 12.44.060. The amendment to this existing code adding section 12.44.075 will expand the law to prohibit commercial shopping carts in pedestrian malls in order to protect the safety of the City's citizens and visitors. The existence of commercial shopping carts in a pedestrian mall constitutes a safety hazard and could cause pedestrian accidents in congested areas of the mall. In addition, they could be an impediment to the safe movement of wheel chairs and other mobility devices used by disabled individuals.

These proposed ordinances amending the Sacramento City Code will enable the customers of business establishments to have access to all City parking facilities and pedestrian malls in a safe and secure manner.

Financial Considerations:

At this time, no additional resources are being requested. Enforcement of these new ordinances falls under the authority of City Code Enforcement.

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).

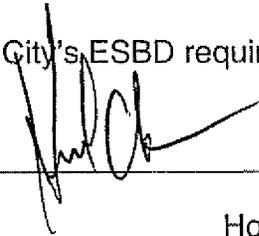
Policy Considerations:

These actions are consistent with the goal of the City of Sacramento's Strategic Plan that promotes and supports economic vitality.

Emerging Small Business Development (ESBD):

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

Respectfully Submitted by: _____



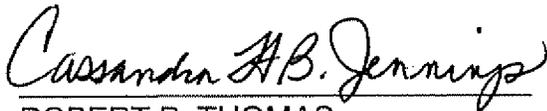
Howard Chan
Parking Manager

Approved by: _____



Marty Hanneman
Director of Transportation

Recommendation Approved:



ROBERT P. THOMAS
City Manager

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF

**ADDING SECTION 9.16.160 TO THE
SACRAMENTO CITY CODE, PROHIBITING COMMERCIAL 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 COMMERCIAL 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 commercial 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 commercial shopping carts in City parking facilities will further public safety.

B. Definitions

“Commercial 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.

C. Commercial Shopping Carts in City Parking Facilities

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

Subject: Prohibition of Commercial Shopping Carts in City Parking
Facilities or Shopping Malls

July 26, 2005

D. Enforcement

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

ORDINANCE NO. _____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF

**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 commercial shopping cart or temporarily or permanently locate or abandon a commercial shopping cart in a pedestrian mall. For purposes of this section, "commercial shopping cart" is defined in section 9.16.160.