

1 [Shopping Cart Signage and Security Requirements.]

2 **Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works)**
3 **Code by adding Sections 1410-1413, requiring permanently affixed signs on shopping**
4 **carts, requiring businesses with carts to post signs prohibiting removal from premises**
5 **and to secure all carts during hours business is closed.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Chapter X of the San Francisco Municipal (Public Works) Code is hereby
11 amended by adding Sections 1410 to 1413, to read as follows:

12 **Sec. 1410. Signage Required on Carts.** No business shall supply carts for use by its
13 customers unless the cart has permanently affixed on it a sign that contains the following
14 information:

- 15 (a) Identification of the owner of the cart or the business providing the cart for use, or both;
16 (b) Identification of the procedures to be utilized for authorized removal of the cart from the
17 premises or parking area;
18 (c) Notification that removal of the cart from the premises or parking area of the business
19 establishment and/or the unauthorized possession of the cart is a violation of state law;
20 and
21 (d) A valid telephone number or address for returning the cart to the owner or business
22 providing the cart.

23 **Sec. 1411. Mandatory Signage on Premises.** Every business that owns or provides
24 carts for the use of its customers within the City and County of San Francisco shall post
25 conspicuous signs at or near each entrance to its parking lot and the public entrance doors to

1 its store notifying its customers that removal of carts from the premises is prohibited without
2 written authorization.

3 **Sec. 1412. Securing of Carts.** Every business that owns or provides carts for the use
4 of its customers shall ensure that all carts on its premises are secured such that a member of
5 the public may not remove any carts from the premises during the hours that the business is
6 closed.

7 **Sec. 1413. Penalty.** (a) Any person violating this Article or any rules or regulations
8 issued pursuant to this Article of which the person has been given notice, shall be guilty of an
9 infraction and subject to a fine of not in excess of \$100.

10 (b) The violation of any provision of this Article that would otherwise be an
11 infraction shall be a misdemeanor if the person who has violated such provision has
12 previously been convicted of two or more violations within the 12-month period immediately
13 preceding the current offense and the prior convictions are admitted by the person charged
14 with the violations or are alleged in the accusatory pleading. For this purpose, a bail forfeiture
15 shall be deemed to be a conviction of the offense charged. A person convicted of a
16 misdemeanor pursuant to this subsection shall be subject to imprisonment in the County Jail
17 for a period not exceeding 30 days or a fine not exceeding \$500, or both.

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19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

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23 By:
24 MARGARET W. BAUMGARTNER
25 Deputy City Attorney