

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~~1414, requiring permanently affixed signs on**
 4 **shopping carts, requiring businesses with carts to post signs prohibiting removal from**
 5 **premises 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.
 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~~1414, 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 . Exemptions.** A business that has installed a physical security device,
4 such as trip wires or barriers, that prevents customers from removing carts from the premises
5 shall not be required to comply with either the cart or the premises signage requirements.

6 **Sec. 1413. Securing of Carts.** Every business that owns or provides carts for
7 the use of its customers shall ensure that all carts on its premises are secured such that a
8 member of the public may not remove any carts from the premises during the hours that the
9 business is closed.

10 **Sec. 1414. Penalty.** (a) Any person violating this Article or any rules or
11 regulations issued pursuant to this Article of which the person has been given notice, shall be
12 guilty of an infraction and subject to a fine of not in excess of \$100.

13 (b) The violation of any provision of this Article that would otherwise be an
14 infraction shall be a misdemeanor if the person who has violated such provision has
15 previously been convicted of two or more violations within the 12-month period immediately
16 preceding the current offense and the prior convictions are admitted by the person charged
17 with the violations or are alleged in the accusatory pleading. For this purpose, a bail forfeiture
18 shall be deemed to be a conviction of the offense charged. A person convicted of a

1 misdemeanor pursuant to this subsection shall be subject to imprisonment in the County Jail
2 for a period not exceeding 30 days or a fine not exceeding \$500, or both.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

By:
MARGARET W. BAUMGARTNER
Deputy City Attorney