

Sec. 9-563. - Shopping cart retention.

Big box developments (defined in section 38-1 of this Code) utilizing shopping carts or similar devices shall install and maintain a system to retain all shopping carts within the real property boundaries of the business location, subject to the following:

- (a) A "shopping cart" is defined to be a basket mounted on wheels, or a similar device, which is generally used in a retail or wholesale establishment by a customer, or by an employee of such establishment, for the purpose of transporting goods of any kind;
- (b) The establishment shall provide signage in a conspicuous location notifying shopping cart users of the retention system in place and of how such system operates;
- (c) Location, type of device, and other pertinent information shall be shown on the approved site plan for the big box development;
- (d) Permitted methods of retention shall include any one (1) of the following methods:
 - (1) A toll-free shopping cart recovery service system;
 - (2) Shopping carts equipped with a protruding arm or similar device preventing the carts from being removed from the interior of the business;
 - (3) A system, which may be mechanical in nature, requiring a refundable deposit to use a shopping cart; such deposit should be of a reasonable amount that would not deter the use of the cart, but would encourage the return of the cart;
 - (4) Shopping carts equipped with a wheel locking mechanism and anti-tilting bar that is used in conjunction with an electronic barrier along the perimeter of the area where shopping carts are allowed. The wheel locking mechanism shall activate when the shopping cart crosses the electronic barrier;
 - (5) Any other mechanism or system submitted to, and approved by, Orange County.
- (e)

Any big box development failing to install or to properly maintain an approved on-site shopping cart retention system is in violation of this section of the Code. Any person, firm, or corporation violating the provisions of this subsection shall, upon conviction, be subject to the penalties provided in section 1-9 of this Code, to the extent not inconsistent with Florida law. Each separate day of violation constitutes a separate offense.

- (f) Home improvement centers (defined in section 38-1, Orange County Code) shall be exempt from this section.

(Ord. No. 2007-01, § 5, 3-20-07)