

D# 75 SHOPPING CARTS

General Description

This docket request was made by the City of Renton Planning Division and proposes revisions to Title VI, Shopping Cart Regulation (RMC 6-27). The revisions remove the requirement for the \$100 processing fee for the filing of a Shopping Cart Retrieval Plan (RMC 6-27-6.D.1) with the City. Furthermore, the procedures for filing an appeal are revisited to remove reference to the \$75 appeal processing fee (RMC 6-27-6.E.1).

Impact Analysis

Effect on rate of growth, development, and conversion of land as envisioned in the Plan

Not applicable to this Docket item.

Effect on the City's capacity to provide adequate public facilities

Not applicable to this Docket item.

Effect on the rate of population and employment growth

Not applicable to this Docket item.

Whether Plan objectives are being met as specified or remain valid and desirable

Not applicable to this Docket item.

Effect on general land values or housing costs

Not applicable to this Docket item.

Whether capital improvements or expenditures are being made or completed as expected

Not applicable to this Docket item.

Consistency with GMA, the Plan, and Countywide Planning Policies

The revisions to the Shopping Cart Regulations do not relate to either the Growth Management Act or the Countywide Planning Policies which are implemented by the goals, objectives and policies of the Comprehensive Plan and the Title IV Development Regulations. Title VI relates to Police Regulations which include Shopping Cart Regulation, which contributes to public safety and quality of life issues.

Effect on critical areas and natural resource lands

Not applicable to this Docket item.

Effect on other considerations

The proposed revisions to the Shopping Cart Regulation would encourage compliance with the regulations by allowing stores and corporations that utilize shopping carts to provide contact information and cart retrieval plans to the City in a timely manner. Delays have occurred as stores such as WalMart seek application fees from their out-of-state corporate headquarters. City staff simply needs a local contact to ensure that the regulations can be effectively

communicated and cooperatively enforced. The fee has been seen as a hindrance and not business-friendly, particularly as stores initiate their activity in Renton. The appeal fee has been increased to \$250. Moreover, both the application and appeal fees have been removed from the Code to a separate fee schedule. Therefore, the reference to these fees is not appropriate.

Staff Recommendation

Revise RMC 6-27 to eliminate references to application and appeal fees for Shopping Cart Regulations.

Implementation Requirements

Revises RMC6-27 to eliminate the Shopping Cart Retrieval Plan application fees and references to specific appeal fees as set forth in Attachment A.

6-27-6 SHOPPING CART CONTAINMENT AND RETRIEVAL PLANS:

D. Plan Submittal and City Review.

1. Plan review and decision. Upon the filing of any proposed plan pursuant to this Chapter, ~~and receipt of the required \$100 processing fee,~~ the Development Services Director shall review said proposed plan and either: 1) approve, 2) approve with conditions, or 3) deny the Abandoned Shopping Cart Prevention Plan. If the proposed plan is denied, the notice of decision given to the owner shall state the grounds upon which the proposed plan was denied. The owner may appeal a decision of the Development Services Director to the Hearing Examiner in the time and manner provided in RMC [4-8-110](#).
2. Amendments by owner. The owner of any retail establishment which has an approved Abandoned Shopping Cart Prevention Plan conforming to the requirements of this Chapter may, at any time, submit a proposed amendment to the approved plan, which shall be processed and a decision issued within fourteen (14) calendar days following the receipt thereof by the Development Services Director.
3. Implementation of plan. The proposed measures shall be implemented no later than ninety (90) days after City approval is given, unless otherwise stated in the decision approving the plan. Unless otherwise agreed, any modifications to the plan imposed by the City shall be implemented within ninety (90) days after the City notifies the owner of the needed modifications.

E. Appeals.

1. Filing of Appeal. Any owner aggrieved by any adverse decision of the Development Services Director pursuant to this Chapter may appeal such decision within fourteen (14) calendar days following the date of such decision by filing with the Hearing Examiner or City Clerk a written notice of appeal briefly stating the grounds for such appeal. The notice of decision shall be deemed filed on the date the ~~\$75.00~~ appeal processing fee has been paid. No appeal shall be accepted for filing and processing by the Development Services Director unless accompanied by the appeal processing fee.
2. Notice of Hearing. If the appeal is timely filed, the Examiner shall cause the matter to be set for hearing. The appellant shall be provided not less than 10 calendar days written notice of the date, time and place of the hearing. The Hearing Examiner shall conduct the hearing pursuant to the provisions of RMC [4-8-110](#).

F. Failure to File Shopping Cart Containment and Retrieval Plan. Failure to timely file a Shopping Cart Containment Plan or a Shopping Cart Retrieval Plan shall be illegal and an infraction punishable under RMC 1-3-2. (Ord. 5145, 6-13-05)