

Clause embodied in Report No. 3 of the Works Committee, as adopted by the Council of the City of Toronto at its meeting held on April 14, 15 and 16, 2003.

18

Disposal of Abandoned Shopping Carts

(City Council on April 14, 15 and 16, 2003, amended this Clause:

(1) to provide that the program for the disposal of abandoned shopping carts:

- (a) in no way precludes continuation of existing arrangements for dealing with shopping carts abandoned in ravines and other locations; and*
- (b) include, as part of the public information campaign, the retrieval of shopping carts from ravines; and*

(2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit reports to the Works Committee:

- (a) in one year’s time, on the success of this partnership;*
- (b) on other measures that retailers have undertaken to ensure that shopping carts are kept on-site as a preventative measure; and*
- (c) on the feasibility of creating a by-law to ensure that shopping carts are kept on-site.”)*

The Works Committee recommends the adoption of the joint report dated January 27, 2003, from the Commissioner of Works and Emergency Services and the City Solicitor.

The Works Committee reports, for the information of Council, having requested the Commissioner of Works and Emergency Services to submit a report to the Committee on the actual cost on an average basis of the disposal of each shopping cart.

The Works Committee submits the following joint report (January 27, 2003) from the Commissioner of Works and Emergency Services and the City Solicitor:

Purpose:

To seek authority to enter into an agreement for the disposal of shopping carts that are abandoned on the road allowance.

Financial Implications and Impact Statement:

The program would be the source of revenue of \$50,000.00 per year for the Transportation Services Division.

Recommendations:

It is recommended that:

- (1) the program for the disposal of shopping carts abandoned on the road allowance, as proposed by the Retailers as described in Attachment A, be approved for a one-year trial period, commencing May 1, 2003, and ending April 30, 2004; and
- (2) the City Solicitor and the Commissioner of Works and Emergency Services be authorized to enter into the necessary agreements to take effect thereto.

Background:

At its meeting of June 9, 10 and 11, 1999, Council adopted a recommendation to institute a program for the collection of abandoned shopping carts on the road allowance. This program was established to address the significant problem of clutter, space and safety that abandoned shopping carts create in service yards after they have been picked up from the road allowance by staff.

The program proposed the development of bids, so that interested parties could express their interest in the removal, storage, and recycling of the carts. While not the principal reason for this program, a modest revenue was anticipated as a result of charges to be levied for the storage and/or disposal of the carts.

The successful company was obliged to securely store the shopping carts for a period of 30 days so that the original owners could retrieve them after payment of a fee. After this period, the company could recycle the carts or dispose of them in an environmentally acceptable manner.

The original contract was initiated in October 1999 for a one-year term. However, it was terminated in mid-2000 after the successful company encountered financial difficulties. The second contract was started in August 2001 and expired in August 2002. The annual revenue to the City from this contract was \$12,500.00.

In early 2002, staff of the Transportation Services Division received concerns from a number of owners of abandoned shopping carts, indicating that the contract granted by the City for the removal and disposal of abandoned shopping carts might be used by individuals to re-sell the owners' carts that had been taken from parking lots without authorization.

The owners indicated that the number of picked-up carts and the cost to retrieve them had increased substantially since the inception of the City's program and, given that the owners did not have access to records outlining the number of carts being picked up at City yards, they could not determine the number of carts that were actually retrieved by the contractor.

Transportation and Legal staff met with representatives of the owners to address these matters and to develop a logging and recording system that, while somewhat cumbersome and more onerous on City staff, would provide the means through which the owners could monitor the actual number of carts that would be picked up from City yards.

In an attempt to streamline the overall process and meet the City's objectives of a safe and clean road allowance, the owners have proposed a system for the storage and retrieval of abandoned shopping carts.

As described in Attachment A, the owners have formed an association that represents the greater proportion of retail and food stores that have shopping carts as part of their operations. The retailers currently represented are A&P, Dominion, Food Basics, Fortino's, Freshmart, No Frills, Loblaws, Longo's, IGA, Price Chopper, Shoppers Drug Mart, Sobeys, The Bay, Valu-Mart, Ultra Food and Drug, YIG (Your Independent Grocer) and Zellers, collectively described as the "Retailers". Attempts are continuing to add Canadian Tire, Costco, Home Depot and Wal-Mart to the group.

The proposal is that the Retailers would incorporate a company (the "Company") which would be solely responsible for the retrieval of abandoned shopping that are stored at City yards. The Company would be responsible for the return of the shopping carts to their rightful owners and, should the owner of the shopping cart not be a member of the Company, the latter would store the cart until the rightful owner retrieves it for a fee of \$30.00 or, after a period of 60 days, the Company would dispose of the cart in an environmentally friendly manner. The carts would be stored at 325 College Parkway in Mississauga, the "Storage Facility", an existing and staffed site owned by Loblaws Companies Limited.

The Retailers propose that on a monthly basis, the Company will send to the City, the Retailers, and other retailers not members of the Company whose carts have been retrieved, a summary of the number and identity of the carts that are being held at the Storage Facility.

The Retailers propose to pay the City an amount of \$50,000 plus GST, annually, to fund the equivalent of one staff person to deal with any documentation that might be required from the City. This amount would be paid in quarterly instalments of \$12,500 plus GST.

Comments:

All parties, the City and the owners of shopping carts agree that these carts must be removed from the road allowance when abandoned, to avoid safety concerns.

The proposal brought forward by the Retailers has merit from a City's perspective, because it eliminates a third party in the cart retrieval process. The carts would be retrieved from City yards at regular intervals by a representative of the Company and be returned to their rightful owners, thereby eliminating any potential misunderstandings related to the origin of the carts or the number that was collected. Those carts that are retrieved but that belong to other retailers would be kept by the Company until they are retrieved, or would be disposed of in an environmentally friendly manner.

The financial compensation that the owners are proposing is higher than that was anticipated in the earlier contracts. In addition, by agreeing to a fixed financial compensation, the need for detailed record-keeping of carts received, stored and retrieved at each yard is also eliminated.

Conclusions:

The owners of shopping carts, the Retailers, have proposed a program for retrieval of abandoned shopping carts which will address the need to remove these carts from the road allowance for safety and appearance reasons, and at the same time, eliminates the potential misuse of the systems established by the City.

The setting up of this program for a one-year period will allow all parties to determine its value in eliminating the risk of abandoned shopping carts in the City's road allowance without creating undue hardships for the rightful owners of the carts.

Contact:

Roberto Stopnicki
Director, Transportation Services District 3
Telephone: 416-395-7480
Facsimile: 416-395-7482

Terry Denison
Solicitor
Telephone: 416-392-7234
Facsimile: 416-397-5624

List of Attachments:

Attachment A: Blaney McMurty letter dated November 26, 2002 regarding Shopping Carts

Ms. Karen Buck, President, Citizens for a Safe Environment, appeared before the Works Committee in connection with the foregoing matter, and submitted a communication with respect thereto.

(A copy of the attachment to the aforementioned report was forwarded to all Members of Council with the Agenda for the Works Committee meeting of March 26, 2003, and a copy is on file in the office of the City Clerk, City Hall.)