



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 230568

Introduced September 14, 2023

**Councilmembers Phillips, Gilmore Richardson, O'Neill, Gauthier, Vaughn, Squilla
and Lozada**

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," to require certain businesses to implement and enforce shopping cart containment systems, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-6200 SHOPPING CART CONTAINMENT SYSTEM

§ 9-6201. *Definitions.*

- (1) "Parking area" means a lot or other property provided by a retail establishment for the use of customers to park automobiles or other vehicles while doing business in that establishment.
- (2) "Retail establishment" means any place of business where goods are exposed or offered for sale to members of the public.
- (3) "Shopping cart" means a basket that is mounted on wheels, or a similar device, made of metal or plastic, generally used in a retail establishment by a customer for the purpose of transporting goods of any kind. These often litter City streets. Shopping cart, as used in this Chapter, does not mean two-tier cart, shopping buggy, or mobility scooter.

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- (4) *“Unauthorized person” means a person in violation of 18 Pa.C.S.A. § 6712(f).*
- (5) *“Shopping cart containment system” means:*
- (a) *A wheel locking mechanism installed on all shopping carts and used in conjunction with an electronic barrier along the perimeter of the retail establishment or its parking area, which is activated when a shopping cart crosses the electronic barrier; or*
 - (b) *A physical barrier, such as bollards, restricting shopping carts to a specific area of the retail establishment or its parking area. Where an accessible path is required, the physical barrier shall not obstruct that path;*
 - (c) *Shopping carts equipped with a protruding arm or similar device preventing a cart from being removed from the interior of a retail establishment;*
 - (d) *A mechanical system requiring a reasonable deposit to use a shopping cart; or*
 - (e) *Any other similar method that prevents the removal of shopping carts from the retail establishment or its parking area.*

§ 9-6202. *Shopping cart containment system requirement.*

- (1) *Any retail establishment with ten or more shopping carts shall implement and enforce, on an ongoing basis and at all times, a shopping cart containment system. The shopping cart containment system shall be sufficient to prevent any unauthorized person from removing one or more shopping carts from the retail establishment or its parking area.*

* * *

SECTION 2. This Ordinance shall take effect October 1, 2024.

Explanation:

Italics indicate new matter added.