EXHIBIT A

Amendments to Madras Municipal Code

**Chapter 9.35 Shopping Cart Regulations**

**9.35.010 Definitions.**

“City” means the City of Madras.

“Enforcement Officer” has the meaning assigned to such term in MMC 2.30.010.

“Person” means any individual, corporation, partnership, trust, incorporated or unincorporated association, joint venture, limited liability company, government (or an agency or subdivision thereof) or other entity of any kind.

“Shopping Cart” means any form of basket, container, or carrying device, with wheels, provided for the convenience of shopping customers.

**9.35.020 Requirements for shopping cart providers.**

A person that supplies shopping carts for public use at the person’s business shall:

1. Post signs in sufficient number to give notice to members of the public entering onto or leaving the business premises that unauthorized appropriation of a shopping cart is a crime under ORS 164.015, and provide a toll-free or local telephone number that members of the public may use to report abandoned shopping carts.

2. Post a sign on each shopping cart that:

a.  Identifies the owner of the shopping cart; and

b. Notifies any member of the public using the shopping cart that unauthorized appropriation of a shopping cart is a crime under ORS 164.015; and

c. Provides a toll-free or local telephone number for use in reporting an abandoned shopping cart.

3. Establish, maintain and make available to the public, at the person’s own expense, a toll-free or local telephone line for the purpose of reporting abandoned shopping carts. If the person who provides the carts has a contractor who receives the calls concerning abandoned shopping carts, that contractor shall forward each report the contractor receives concerning an abandoned shopping cart to the owner of the shopping cart and to the City within one business day after the contractor receives the report. A person may agree with other persons to share and to pay expenses related to the toll-free telephone line described in this subsection. The agreement shall provide that any person designated to operate the toll-free telephone line and receive reports concerning abandoned shopping carts must forward the reports to the owner of the shopping cart in accordance with this subsection.

4. Retrieve or contract for the retrieval of abandoned shopping carts.

**9.35.030 Retrieval and disposal of carts, fees.**

1. A person shall retrieve a shopping cart that the person owns within 72 hours after receiving notification that the shopping cart has been abandoned.

2. If the City identifies, salvages or reclaims an abandoned shopping cart, it shall use the toll-free telephone line described in MMC 9.35.020(3) to report the existence and location of an abandoned shopping cart to the owner of the shopping cart, if the owner is identifiable.

3. The City may take custody of an abandoned shopping cart and impose a fine of $50.00 on the owner of the shopping cart if the owner does not retrieve the shopping cart within 72 hours after the City makes a report under subsection (C) of this section or after the owner receives a report under MMC 9.35.020(3).

4. The City may release a shopping cart held in the City’s custody to the owner upon payment of the $50.00 fine.

5. The City may take title to a shopping cart in the City’s custody and dispose of the shopping cart as the City deems appropriate, if the owner does not claim the shopping cart within 30 days.

**9.35.030 Penalties.**

1. A person who violates a provision of this chapter is guilty of an infraction which is punishable by a fine not to exceed one hundred dollars ($100.00).

2. Each occurrence of a violation, or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.