

**VILLAGE OF CARPENTERSVILLE**  
1200 L. W. Besinger Drive  
Carpentersville, Illinois 60110  
847-426-3439

*Village President*  
**John Skillman**

*Village Clerk*  
**Tania Gomez**

*Village Manager*  
**John O'Sullivan**

*Village Trustee*  
**Dickie Abbott**  
**Jeff Frost**  
**Humberto Garcia**  
**Jim Malone**  
**Denise Richardson**  
**Brenda Sandoval**

**BOARD REPORT**

**TO:** Village President and Board of Trustees

**FROM:** Benjamin A. Mason, Community Development Director

**DATE:** August 15, 2023

**RE:** An Ordinance Amending Chapter 10.36.050 Pertaining to Abandoned Shopping Carts of the Carpentersville Municipal Code

**BACKGROUND**

Over the past few months, the occurrence of abandoned shopping carts in and around the Village Hall property, and surrounding roadways has been increasing. One reason likely contributing to that fact, is the adjacent apartment subdivisions have been restricting tenants from bringing or leaving shopping carts on private property.

Notwithstanding a business' shopping cart is its own private property – e.g., Walmart, Dollar General – and it is prohibited for customers to walk off with a store's cart, staff has observed higher frequency of carts abandoned on sidewalks and in the public right-of-way.

**ANALYSIS**

The Village Code already restricts the abandonment of shopping carts in public areas, however the fine that may be assessed can be quite minimal, and so staff is recommending increasing to a \$150.00 fine for anyone observed and convicted of abandoning a shopping cart on or near public right-of-way and public property. Please see the minor edit proposed to the existing code in bold and underlined on the following page (italicized wording is currently embedded in Title 10 Vehicles and Traffic in the municipal code):

*10.36.050 - Abandoned shopping carts.*

*A. Prohibition. It is unlawful to leave, abandon, discard, or place any wheeled shopping cart in,*



## ORDINANCE NO. 23-37

### AN ORDINANCE AMENDING CHAPTER 10.36.050 ABANDONED SHOPPING CARTS, OF THE CARPENTERSVILLE MUNICIPAL CODE

**WHEREAS**, the Village of Carpentersville, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Carpentersville, Illinois as follows:

**SECTION 1:** The preambles of this Ordinance are incorporated, as if fully restated herein.

**SECTION 2:** The following section in Title 10, Section 36.050, Abandoned Shopping Carts, of the Carpentersville Municipal Code shall be amended to read as follows (underlined text being added, stricken through text being deleted), without impacting the other provisions:

*10.36.050 - Abandoned shopping carts.*

*A. Prohibition. It is unlawful to leave, abandon, discard, or place any wheeled shopping cart in, on, or near any highway, street, alley or traffic lane where the same may constitute or create a traffic hazard. Every person, firm, or corporation which owns and uses shopping carts within the village shall place identification tags on all shopping carts so owned or possessed. The person, firm or corporation owning such shopping cart, and any person who so leaves, abandons, discards or places any such shopping cart shall be liable for the penalty provided by this section.*

*B. Any person, firm or corporation convicted of violating the abandoned shopping cart provisions of this section shall be fined not less than one hundred fifty ~~five~~-dollars nor more than five hundred dollars (\$500.00).*

**SECTION 3:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION 4:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

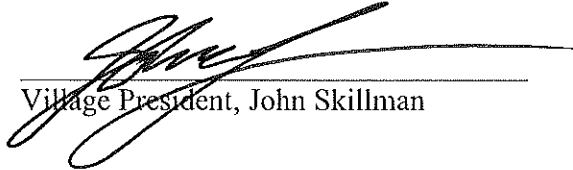
**SECTION 5:** This Ordinance shall be in full force and effect upon its approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.



Passed this 15 day of August, 2023, by roll call vote as follows:

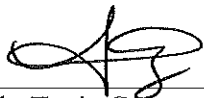
	Ayes	Nays	Absent	Abstain
Trustee Jeff Frost	_____	_____	<u>✓</u>	_____
Trustee Jim Malone	<u>✓</u>	_____	_____	_____
Trustee Humberto Garcia	<u>✓</u>	_____	_____	_____
Trustee Brenda Sandoval	<u>✓</u>	_____	_____	_____
Trustee Dickie Abbott	<u>✓</u>	_____	_____	_____
Trustee Denise Richardson	<u>✓</u>	_____	_____	_____
President John Skillman	<u>✓</u>	_____	_____	_____

APPROVED THIS 15 DAY OF August, 2023

  
Village President, John Skillman

(SEAL)

ATTEST:

  
Village Clerk, Tania Gomez

Published:

August 15, 2023





## CERTIFICATION

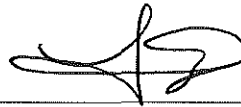
I, Tania Gomez, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Carpentersville, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Carpentersville.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Carpentersville, held on the 15 day of August, 2023, the foregoing Ordinance entitled, **AN ORDINANCE AMENDING CHAPTER 10.36.050 PERTAINING TO ABANDONED SHOPPING CARTS, OF THE CARPENTERSVILLE MUNICIPAL CODE**, as duly passed by the President and Board of Trustees of the Village of Carpentersville.

The pamphlet form of Ordinance No. 2023-\_\_\_\_\_, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 15 day of August, 2023, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Carpentersville this 15 day of August, 2023.



Tania Gomez, Village Clerk  
Village of Carpentersville,  
Kane County, Illinois

(SEAL)



