

AN ORDINANCE REGULATING THE USE OF SHOPPING CARTS IN
AND ABOUT THE PUBLIC STREETS AND PUBLIC AREAS, PROVIDING
FOR THEIR IDENTIFICATION, IMPOUNDING, REDEMPTION, SALE
AND DESTRUCTION.

BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COMMITTEE OF WINFIELD TOWNSHIP, NEW JERSEY:

Section 1. As used or referred to in this ordinance, unless a different meaning clearly appears from the context:

(a) "Public Street" means any and all municipal, county, state and federal streets, avenues, roads and highways within the Township of Winfield and embraces the entire right of way thereof, including all installations and facilities therein.

(b) "Public Area" means municipal, county, state and federal buildings, public parks, playgrounds, public parking areas and all means of ingress and egress pertaining thereto.

(c) "Shopping Cart" means all carts, baskets, or containers equipped with wheels and propelled by human power normally used or intended to be used for the carting or carrying of merchandise, goods and chattels.

Section 2. The owner or owners of shopping carts used or intended for use for the carting or carrying of merchandise, goods or chattels shall affix a permanent identification to each shopping cart designating the name and address of the owner.

Section 3. No person shall leave or abandon or suffer or permit to be left or abandoned any shopping cart either owned by him or in his possession, custody or control in or upon any public street or public area.

Section 4. The Police Department of the Township of Winfield shall remove or cause to be removed any shopping cart found unattended or abandoned upon any public street or public area and shall take or cause the same to be taken to any premises within the Township of Winfield designated by the Police Department where the same shall be held until redeemed, sold or destroyed. Within five (5) days after the removal of the cart, the Police Department shall by ordinary mail notify the owner thereof at the address indicated on the identification tag that the impounded cart may be redeemed within ten days of the date of its taking,

said date to be set forth in such notice, upon the payment of the sum of Ten (\$10.00) Dollars, and thereafter at any time prior to sale upon the payment of the sum hereinafter fixed. Failure to give such notice shall not in any way subject the Police Department or the Township of Winfield to any liability. The owners of carts and merchants using the same are hereby instructed to make inquiry at Police Headquarters respecting the whereabouts of any missing carts and are not to depend on receipt of any notice from the Police Department. If such cart is unclaimed or unredeemed for a period of ten (10) days from the time of its taking, the Police Department shall give at least five (5) days' public notice in the Linden News-Observer fixing the place, date, time and terms of public sale to the highest bidder of such carts. One of the terms of such sale shall be that no cart shall be sold for less than the amount required to be paid for the redemption of such cart computed in accordance with the provisions hereinafter set forth.

Section 5. If the shopping cart is not redeemed within ten (10) days of its taking, there shall be added to the sum of Ten (\$10.00) Dollars the additional sum of One (\$1.00) Dollar for each day such shopping cart remains impounded beyond the first ten (10) days and the total shall be the amount required to redeem the shopping cart. Such amount may be paid by the owner of the cart at any time prior to the sale of such cart and upon such payment, the shopping cart shall not be sold and shall be returned to the owner.

Section 6. In the event any shopping cart shall remain unredeemed and unsold at public sale, the Police Department may dismantle, destroy, or otherwise dispose thereof.

Section 7. Any public sale or other disposition of any shopping cart shall be without liability on the part of the Township, the Police Department and their agents and employees.

Section 8. As of the first of each month and within five (5) days thereof, the Police Department shall pay over to the Township Treasurer the amount received for the redemption and sale or other disposition of any shopping carts during the preceding month

and at the same time deliver to the Township Treasurer and to the Township Clerk of the Township of Winfield a detailed statement concerning all redemptions, all sales, and other dispositions of shopping carts during the preceding month including the name and address of the redeemer or purchaser as the case may be, the amount received from each for each cart and a report concerning any cart disposed of in any manner other than by redemption or sale.

Section 9. If any section, sentence or clause of this ordinance shall be declared invalid, the remaining sections, sentences and clauses shall continue in full force and effect.

Section 10. This ordinance shall take effect in the manner prescribed by law.

Russell A. Young
Chairman, Township Committee

Motioned by Norman Whitehouse Sr.
Norman Whitehouse Sr.

Seconded by Thomas Hannen
Thomas Hannen

DATED: February 8, 1965

NOTICE

The foregoing ordinance was introduced and approved on first reading at a regular meeting of the Township Committee on February 8, 1965, at the Municipal Offices, 12 Gulfstream Avenue, Winfield, N. J. and was adopted on final reading at a regular meeting of the Township Committee on March 8th, 1965.

David Rees
David Rees, Township Clerk