

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 5 of Chapter 9 of Title 15.2 a section*  
3 *numbered 15.2-984, relating to abandoned and stolen shopping carts; local regulation.*

4 [S 631]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Article 5 of Chapter 9 of Title 15.2 a**  
8 **section numbered 15.2-984 as follows:**

9 **§ 15.2-984. Disposition of abandoned shopping carts; unauthorized possession; penalties.**

10 *A. The governing body of any locality with a County Manager Plan or Urban County Executive*  
11 *Form may, by ordinance, provide that it shall be unlawful for any person to place, leave, or abandon*  
12 *on any real property in the locality, or within specified districts within the locality, any shopping cart as*  
13 *defined in § 18.2-102.1. The ordinance shall provide that any such shopping cart that remains on real*  
14 *property outside of the premises defined in § 18.2-102.1 at least 15 days after a notice of violation is*  
15 *given to the owner of such shopping cart shall be presumed to be abandoned and subject to removal*  
16 *from the real property by the locality or its agents without further notice.*

17 *B. A notice of violation sent by registered or certified mail to the last known address of the shopping*  
18 *cart's owner or its registered agent reflected in state or locality public records shall satisfy the notice*  
19 *requirement of this section. In the event that any such shopping cart is so removed, the cost of removal,*  
20 *including the cost of disposal, but not to exceed \$300 per cart, shall be charged to the owner of the*  
21 *shopping cart. Any such charge that is not paid within 30 days of the date on which it is billed to the*  
22 *owner shall constitute a lien upon the shopping cart and may be collected in any manner provided by*  
23 *law for the collection of taxes.*

24 *C. In addition to any other remedy provided herein, the locality or its designee may institute legal*  
25 *action to enjoin the continuing violating of this section.*

26 *D. An ordinance adopted pursuant to subsection A may provide that it shall be unlawful for any*  
27 *person, except the owner or his agent, to possess outside of the premises any shopping cart, when the*  
28 *owner has posted notice on the property that removal is unlawful. The locality may provide that a*  
29 *person who violates the ordinance is subject to a civil penalty of not more than \$500. However, such*  
30 *penalty shall not apply when such person has been found guilty of a violation of § 18.2-102.1 for the*  
31 *removal of such shopping cart from a store premises.*

ENROLLED

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