



THE VOICE OF FLORIDA RETAILING

Florida Retail Federation
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December 12, 2023

Albert P. Childress
City Manager
City of Key West, Florida
City Hall
1300 White Street
Key West, FL 33040

RE: Ordinance Amending Chapter 26 – “Shopping Carts”

Dear Mr. Childress:

The Florida Retail Federation advocates on behalf of Florida’s 270,000 retail establishments and it is our goal to ensure all retailers have a fair and equal opportunity for success. I am writing to voice our concern regarding a proposed ordinance regarding Shopping Carts.

Specifically, we believe that the proposed ordinance relating to shopping carts potentially violates §506.5131(2), Florida Statutes in that the statute limits the ability of local governments to impose any fee, fine or cost on a shopping cart owner. Shopping cart ordinances may only require the payment of a fee, fine or cost when a shopping cart is abandoned on public property and the shopping cart was removed from the owner’s premises by the owner or the owner’s agent. Further, such ordinances must be approved by the Florida Department of Agriculture and Consumer Services.

We ask that you review or reconsider the proposed ordinance to ensure it does not conflict with the statute. If you would like to discuss this further, please do not hesitate to contact me.

Sincerely,

Lorena Holley
General Counsel & Vice President

CC: Mayor Teri Johnston
Vice-Mayor Sam Kaufman
Commissioner Lissette Carey
Commissioner Mary Lou Hoover
Commissioner Clayton Lopez
Commissioner Billy Wardlow
Commissioner Jimmy Weekley
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney
Darby Shaw, Senior Attorney, Florida Department of Agriculture and Consumer Services