HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 53 (2026)

A BILL FOR AN ORDINANCE

RELATING TO SHOPPING CARTS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to regulate the possession and abandonment of shopping carts in order to reduce the threat they pose to the health, safety, and welfare of the public.

SECTION 2. Chapter 13, Revised Ordinances of Honolulu 2021 ("Streets, Sidewalks, Malls, and Other Public Places"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"ARTICLE ___: REGULATION OF SHOPPING CARTS

§ 13-__.1 Council findings.

The council finds that both the possession and abandonment of shopping carts have resulted in a serious threat to the health, safety, and welfare of the public. The city's efforts to provide safe streets, sidewalks, malls, parks, and waterways are hampered by persons possessing, using, and abandoning shopping carts in ways that are detrimental to the right of the public to use and enjoy these public facilities.

It is in the city's interest to ensure that the city's sidewalks and parks are usable, healthy, and safe for the public. The use and abandonment of shopping carts endanger the general public by creating unsafe conditions on sidewalks and within parks, or portions thereof. Obstructions on sidewalks force pedestrians to walk onto the adjacent roads and streets, which creates hazardous situations for both pedestrians and users of roads and streets. Persons with disabilities are especially put at risk when they are unable to utilize sidewalks due to insufficient clearance for their wheelchairs. The public is also harmed as a result of bus stops that cannot be utilized when access to the bus stops is blocked by shopping carts. Park users, often children, are also placed at risk of injuries and loss caused by shopping carts in public parks, rendering the public park unsafe or unusable. There have also been instances where the flow of water in the city's waterways has become obstructed by abandoned shopping carts, potentially resulting in the overflow of the waterway. The city must be able to ensure the safety of members of the public when they are using sidewalks, roads and streets, bus stops, parks, waterways, and other public spaces and ensure the public's ability to use these accommodations freely.

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§ 13-__.2 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Identified Shopping Cart. A shopping cart that has securely affixed to it a conspicuous sign or marking identifying the owner of the shopping cart and further visibly marked so that it is uniquely identifiable and distinguishable from shopping carts owned by other persons.

Owner. A person or legally formed entity that has a legal right, title, or interest in a shopping cart. The term does not include a person who is using or in possession of a shopping cart but does not have a legal right, title, or interest thereto.

Shopping Cart. A metal or plastic handcart on three or more wheels. The term does not include handcarts that are made out of at least 90 percent material that is not metal or plastic, handcarts that have no sides (i.e., flatbed carts, panel carts), and handcarts with a total carrying capacity of less than 1.41 cubic feet or 40 liters.

§ 13-__.3 Prohibition.

(a) Except as otherwise provided in this article:

(1) It is unlawful for a person to possess or use a shopping cart at any time within the city; except that an owner, or a person authorized by the owner, may possess or use an identified shopping cart on premises that the owner owns or otherwise has a legal interest in; and

(2) It is unlawful for any person to expose or offer for use to another person any shopping cart within the city; provided that an owner may expose or offer for use an identified shopping cart to another person on a premises that the owner owns or otherwise has a legal interest in.

(b) This article does not apply to any shopping cart owned by or under the jurisdiction of the federal government or owned by and being used by the State of Hawaii.

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§ 13-__.4 Penalty.

(a) For each violation of this article, the violator shall be punished by a fine of up to $2,000 or by imprisonment for a period not to exceed 30 days, or both.

(b) Any person violating any provision of this article shall also forfeit the shopping cart to the city.

(c) Each shopping cart found in the possession of a person violating any provision of this article constitutes a separate violation.

§ 13-__.5 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this article is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this article."

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SECTION 3. This ordinance takes effect upon its approval; provided that the owners of shopping carts will have 180 days from the effective date of this ordinance to convert their shopping carts into identified shopping carts. No arrest or citation may be issued under this ordinance until after 180 days from the effective date of this ordinance.

INTRODUCED BY:

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_____

DATE OF INTRODUCTION:

_____

_____

JUL 27 2026

Honolulu, Hawai'i

_____

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

_____

Deputy Corporation Counsel

APPROVED this _____day of _____, 20 ____.

_____

RICK BLANGIARDI, Mayor
City and County of Honolulu

Report Title:
Shopping Carts; Pollution; Public Nuisance; Criminal Penalties; Fines; Business Regulation

Description:
Generally prohibits possession and use of shopping carts on O'ahu unless the shopping cart is identified by the legal owner and used on a premises under the legal control of the owner. Establishes penalties. Defines shopping cart to include metal or plastic handcarts on three or more wheels, and to exclude handcarts made out of other materials, without sides (flatbeds), or with a carrying capacity of less than 1.41 cubic feet or 40 liters (baskets with wheels).

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