
1 **2023-5 (1st READING): GRANTING A FRANCHISE AGREEMENT FOR**
2 **OPERATION OF RENTAL BUSINESS OF CONVEYANCES REGULATED BY**
3 **CHAPTER 12, ARTICLE V OF THE CODE OF ORDINANCES OF MYRTLE**
4 **BEACH TO AUSTIN SHELLEY D/B/A AJAX GOLF CART RENTALS LOCATED**
5 **AT 1307 NATURE'S WAY, NORTH MYRTLE BEACH, SC 29582, FOR A**
6 **PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 24 GOLF CART**
7 **DECALS.**

8 **Applicant/Purpose:** Staff/ to regulate the # & location of golf cart & moped rental businesses
9 by franchising their operations.

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11 **Brief:**

- 12 • After experiencing several weekends when the # of moped/golf cart rentals & conduct
13 of the operators became a serious issue, Council imposed a moratorium on increasing
14 the # of such conveyances.
 - 15 ▪ For 2023 franchisee is requesting 24 golf cart plates, the same # as was
16 awarded in 2022.
 - 17 ▪ For 2017 the # of mopeds was capped at the # that each company had in
18 service during the summer of 2016.
 - 19 ▪ For 2017 the # of golf carts was capped at the # each company had in service
20 for 2016 + the # already ordered at the time the moratorium was imposed.
- 21 • Ordinance 2017-56, approved 1/9/18 in consultation w/ the business owners, approved
22 the framework of a franchise agreement similar to the system in place for taxis.
- 23 • The franchise ordinance requires annual renewals.

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25 **Issues:**

- 26 • Franchising allows Council to restrict the # of mopeds & golf carts available for rental,
27 as well as the location of each rental business.
- 28 • Under the franchise terms each conveyance will be issued a City "plate" similar to a
29 license plate. These plates assist law enforcement to track operational violations.
- 30 • This proposed ordinance:
 - 31 ▪ Sets the location for rental conveyances.
 - 32 ▪ Sets the # of rental conveyances allowed/location.
- 33 • Agreement is for a 1-year period, & must be re-approved annually.

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35 **Public Notification:** Normal meeting notification

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37 **Alternatives:**

- 38 • Modify proposed ordinance.
- 39 • Deny ordinance.

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41 **Financial Impact:** Annual franchise fee of \$10/plate issued.

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43 **Manager's Recommendation:**

- 44 • I recommend 1st reading (3.14.23)

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46 **Attachment(s):** Ordinance, franchise agreement, & franchise application.

ORDINANCE 2023-5

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4 CITY OF MYRTLE BEACH
5 COUNTY OF Horry
6 STATE OF SOUTH CAROLINA
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GRANTING A FRANCHISE
AGREEMENT FOR OPERATION OF
RENTAL BUSINESS OF
CONVEYANCES REGULATED BY
CHAPTER 12, ARTICLE V OF THE
CODE OF ORDINANCES OF MYRTLE
BEACH TO AUSTIN SHELLEY D/B/A
AJAX GOLF CART RENTALS
LOCATED AT 1307 NATURE'S WAY,
NORTH MYRTLE BEACH, SC 29582,
FOR A PERIOD OF ONE YEAR. THE
AGREEMENT INCLUDES 24 GOLF
CART DECALS.

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20 **WHEREAS**, pursuant to the exercise of its police power the City shall require a franchise
21 for the rental and operation of rental conveyances on the highways, streets, alleys and
22 public ways within its police power jurisdiction; and

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24 **WHEREAS**, the City had determined that the delivery of these services can be provided
25 most effectively and efficiently through the grant of a non-exclusive franchise; and

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27 **THEREFORE, PURSUANT TO THE FRANCHISE POWER OF THE CITY OF MYRTLE**
28 **BEACH**, the City of Myrtle Beach grants a Franchise Agreement for Operation of
29 Conveyances to AUSTIN SHELLEY D/B/A AJAX GOLF CART RENTALS, LOCATED
30 AT 1307 NATURE'S WAY, NORTH MYRTLE BEACH, SC 29582, FOR A PERIOD OF
31 ONE YEAR. THE AGREEMENT INCLUDES 24 GOLF CART DECALS.

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33 This ordinance shall take effect immediately upon adoption.
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36 _____
37 BRENDA BETHUNE, MAYOR

38 ATTEST:

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40 _____
41 JENNIFER ADKINS, CITY CLERK
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44 First reading: 3-14-2023
45 Second reading: 3-28-2023