

February 11, 2020 – 1st Reading
 February 25, 2020 – Presented for approval.

1 **2020-7 (2nd 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 BEACH**
 4 **TO SARAH YAKOEL D/B/A/ GIL SCOOTER/EVRY LLC, LOCATED AT 109 SOUTH**
 5 **KINGS HIGHWAY, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR.**
 6 **THE AGREEMENT INCLUDES 20 GOLF CARTS.**

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

10 **Brief:**

- 11 • After experiencing several weekends when # of moped/golf cart rentals & conduct
 12 of the operators became a serious issue, Council imposed a moratorium on increasing
 13 the # of such conveyances.
 - 14 ○ For 2020, the franchisee requests 20 golf cart plates, the same # of plates
 15 awarded in 2019.
 - 16 ○ For 2017 the # of mopeds was capped at the # that each company had in
 17 service during the summer of 2016.
 - 18 ○ For 2017 the # of golf carts was capped at the # each company had in service
 19 for 2016 + the # already ordered at the time the moratorium was imposed.
- 20 • Council also directed staff to work out a permanent solution w/ company owners.
- 21 • Ordinance 2017-56, approved 1/9/18 in consultation w/ the business owners,
 22 approved the framework of a franchise agreement similar to the system in place for
 23 taxicabs.
- 24 • The franchise ordinance requires annual renewals.
- 25 • No changes since 1st reading.

26
 27 **Issues:**

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

37
 38 **Public Notification:** Normal meeting notification
 39

40 **Alternatives:**

- 41 • Modify proposed ordinance.
- 42 • Deny ordinance.

43
 44 **Financial Impact:** Annual franchise fee of \$10/plate issued.
 45

46 **Manager’s Recommendation:**

- 47 • I recommend 1st reading (2/11/2020).
- 48 • I recommend approval (2/25/2020).

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

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**CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA**

**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
SARAH YAKOEL D/B/A GIL
SCOOTER/EVRY LLC, LOCATED AT 109
SOUTH KINGS HIGHWAY, MYRTLE
BEACH, SC 29577, FOR A PERIOD OF
ONE YEAR. THE AGREEMENT INCLUDES
20 GOLF CARTS.**

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

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

THEREFORE, PURSUANT TO THE FRANCHISE POWER OF THE CITY OF MYRTLE BEACH, the City of Myrtle Beach grants a Franchise Agreement for Operation of Conveyances to SARAH YAKOEL D/B/A GIL SCOOTER/EVRY LLC, LOCATED AT 109 SOUTH KINGS HIGHWAY, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 20 GOLF CARTS.

This ordinance shall take effect immediately upon adoption.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER STANFORD, CITY CLERK

First reading: 2-11-2020
Second reading: 2-25-2020

**APPLICATION
FOR
FRANCHISE TO RENT CONVEYANCES REGULATED BY CHAPTER 12,
ARTICLE V, WITHIN THE CITY OF MYRTLE BEACH**

Pursuant to the exercise of its police power the City shall require a franchise for the rental and operation of rental conveyances on the highways, streets, alleys and public ways within its police power jurisdiction and the City has determined that the delivery of these services can be provided most effectively and efficiently through the grant of a non-exclusive franchise. Applications shall be made by completing this form. All sections of this form must be completely filled out and supporting documentation attached. An incomplete application will not be processed and will be returned to the applicant. The provision of false, misleading or incomplete information shall be grounds for denial or revocation of a Franchise.

APPLICANT INFORMATION

Owner's Name: Israel Jabael Telephone: 843-450-2000
Residence Address: _____
Business Address: 109.5 Kings Hwy
Driver's License No.: 007750665 State: S.C Expiration Date: 08/4/2027

Persons managing, supervising or conducting business for the owner:
1. Name: Israel Jabael Telephone: 843-450-2000
Residence Address: 7433 carriage row
Driver's License No.: 007750665 State: S.C Expiration Date: 08/4/2027
Position/Title: owner

2. Name: _____ Telephone: _____
Residence Address: _____
Driver's License No.: _____ State: _____ Expiration Date: _____
Position/Title: _____

3. Name: _____ Telephone: _____
Residence Address: _____
Driver's License No.: _____ State: _____ Expiration Date: _____
Position/Title: _____

BUSINESS INFORMATION

Business Name: Gil scooter Trade Name: Nothing Over 799
Business Address: 109.5 Kings Hwy
Business Telephone: 843-450-1000
* City of Myrtle Beach Business License No.: _____ Issued Date: _____

Type of Business (Check One): _____ Sole-Proprietor _____ Partnership Corporation

Provide the following for ALL owners/partners/corporate officers as applicable:
Name: Israel Yakoe D.L. no.: 7750665 State: SC Name:
_____ D.L. no.: _____ State: _____

Attach all relevant documents showing the legal formation of the partnership or corporation in the State of South Carolina

Provide a description of the financial condition of your company including assets and liabilities (attach documentation):

See attached

Has any applicant, owner, partner, officer or any other individual with an interest in the business ever been convicted or entered a plea of guilty or no contest to any crime classified as a felony, misdemeanor or traffic violation? YES ___ NO

If yes, then please describe below (attach additional sheets if necessary):

Name: See Attached Charge: _____ Date: _____
Location: _____ Disposition: _____
Name: _____ Charge: _____ Date: _____
Location: _____ Disposition: _____
Name: _____ Charge: _____ Date: _____
Location: _____ Disposition: _____
Name: _____ Charge: _____ Date: _____
Location: _____ Disposition: _____

The failure of any individual with an interest in this application to fully disclose requested criminal/traffic history information shall be grounds for the City's denial fo the request. Please attach a criminal history report and a 10-year driving history for every individual who has an interest in the proposed business.

Type of service: Year Round: Days of the week: 7 days a week
Hours: 8:00 until prior to sunset
(describe service schedule): _____

Will the applicant provide the insurance required for all authorized units: Yes

Issuing Insurance Company: Hub Insurance
Policy Number (if available): 22SBUB15826
Limits of Liability: Per Person: 25,000 Per Occurrence: _____
Property Damage: 2,000,000

If "No", explain how the applicant will ensure that each unit will comply with the insurance requirements set forth in the City Code of Ordinances.

Applicants authorized under state law to operate as Self-Insured should attach a copy of such authorization to this application.

Explain why you believe that public convenience and necessity requires the granting of this application (attach statistical data and additional sheets as necessary):

I have provided this service for ten years. I have had no issues. I have been in compliance with what the city requires.

I certify that all of the information contained in this application is true and complete to the best of my knowledge. I further certify that I have read and understand the City of Myrtle Beach Regulations for Operation of Moped and Golf Cart Rental Companies and the City of Myrtle Beach Regulations for Operators of ATV's, Mopeds, Golf Carts, LSV's and Scooters, attached hereto.

Applicants Name (printed): ISRAEL YAKOEL

Applicants Signature: [Signature] Date: 1/15/20

Attachments: (check those that apply)

- Receipt for payment of application fee*
- N/A List of additional owner, partners or corporate officers
- Documents that prove the legal formation of the partnership or corporation
- Documents outlining current financial condition
- N/A Additional sheets to document crimes
- Criminal History report for every individual having an interest in the business*
- 10-year driving history for every individual having an interest in the business*
- Vehicle registration(s) on file, MREG
- Photographs or drawings of proposed color scheme*
- Authorization to Self-Insure
- N/A Additional documentation regarding public necessity, including statistical data

* denotes attachments required to process this application



UNOFFICIAL 10 YEAR DRIVER RECORD (Web)

Customer No: 26327918 Driver License No: 7750665
 Name: YAKOEL, ISRAEL
 Address: 2933 CARRIAGE ROW LN
 City: MYRTLE BEACH State: SC Zip: 295772120
 County: Horry Sex: M Driver Training: N
 DOB: 08/14/1959

Status - DL: NO SUSPENSION CDL: NO DISQUALIFICATION

License Information

Type	Class	Function	Issued	Expires	First Issued	Restr	Endor.	Document Identifier (ACN / DDN)
Current DL (R)	D	Renewal	05/22/2019	08/14/2027	04/16/1996	N	N	2600940102260568771
Prior DL	D	Renewal	09/21/2016	08/14/2026	04/16/1996	N	N	1011602800007445
DL	D	Renewal	08/16/2016	08/16/2017	04/16/1996	N	N	1011605500028849
DL	D	Renewal	08/15/2011	08/14/2016	04/16/1996	N	N	1011103200016446
DL	D	Renewal	07/20/2006	08/14/2011	04/16/1996	N	N	N/A
DL	D	Renewal	07/19/2001	08/14/2006	04/16/1996	N	N	N/A

Point Summary

Total Current Points: 0
 Driver Credit: -0
 Adjusted Current Points: 0

VIOL: 421 - Speeding 10-mph or less

Violation: 03/06/2015 Conviction: 04/09/2015

ACD: S51 Conviction Loc Ref:

Conviction State: SC

Ticket#: G184159

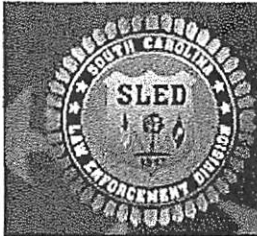
Recd: 04/23/2015 Post: 05/01/2015

Conviction Reference:

Court Type: Magistrate Court

Violation Points: 2 Current Points: 0

End of Report



South Carolina LAW ENFORCEMENT DIVISION

Public:

- Home
- Contact Information
- General Information

Alcohol Enforcement

AMBER Alert

Aviation Flight Log

Blue Alert

Cold Case

Concealed Weapons Permit Program

Constables

Counter Terrorism

Crime Reporting & Statistics

Criminal Justice Information Services

Criminal Records Check

Endangered Person Advisory

Homeland Security Grants Admin

Implied Consent

Methamphetamine Tracking/NPLEX

NewsRoom

Private Investigations & Security Licenses / Registrations

Procurement Services

SC State Agency Spending Transparency

Sex Offender Registry

Unidentified Remains

Vulnerable Adult

Wanted / Unsolved

ILAB

Member:

Secure Services



SLED CATCH
Citizens Access to Criminal Histories

Results

Name **ISRAEL YAKOEL**

DOB **1959 08 14**

Gender **Male**

Maiden Name

SSN *******1752**

Transaction **11511215EC**

Date of Check **January 15, 2020 at 11:02**

NO ARREST DATA
IN ACCORDANCE WITH
SEARCH CRITERIA SUBMITTED
S.C. Law Enforcement Division
WWW

To Whom it May Concern:

The criminal history search was based upon the criteria furnished. It did not include a fingerprint comparison, which is the only means of positive identification. This **NO ARREST DATA** verification is only valid as of January 15, 2020 at 11:02 since a record may be established after that time. Therefore, if no action is taken within a reasonable period, it is recommended that another check be made.

Sincerely,

Chief Mark Keel
South Carolina Law Enforcement Division



NOTHOVE-01

TWEST1

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/15/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 1000009384 Hub International Carolinas 4331 Robert M. Grissom Parkway, Suite 201 Myrtle Beach, SC 29577	CONTACT NAME: PHONE: (866) 903-5324 (A/C, No, Ext) FAX (A/C, No): (866) 492-8155 E MAIL ADDRESS:	INSURER(S) AFFORDING COVERAGE INSURER A: Sentinel Insurance Company, Ltd. NAIC # 11000 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Nothing Over \$7.99 Evry LLC dba 2933 Carriage Row Myrtle Beach, SC 29577		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	TYPE OF INSURANCE	ADDL SUBR (NSD, WVD)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER POLICY PRO. SUBJECT LOC OTHER: AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTIONS WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OR FRODO MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	X	22SBMBI3896	4/6/2019	4/6/2020	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMPOUND ANGS \$ 4,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$ PER STATUTE OTH ER E.I. EACH ACCIDENT \$ E.I. DISEASE - EA EMPLOYEE \$ E.I. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER City of Myrtle Beach 1101 N Oak St. Myrtle Beach, SC 29577	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

THIS LICENSE MUST
BE POSTED IN A
CONSPICUOUS PLACE

CITY OF MYRTLE BEACH BUSINESS LICENSE

THIS LICENSE IS NOT
TRANSFERRABLE WITH
A CHANGE OF OWNERSHIP

Effective Date: Jun 01, 2019

License #: 27191

Business Description:

SCOOTER RENTAL

Business Location:

109 S KINGS HWY

Business Name:

GIL SCOOTER/NOTHING OVER \$7.99

Legal Name of Business:

EVRY LLC

Person Responsible:

OR YAKOEL EFRATI

109 S KINGS HWY

MYRTLE BEACH, SC 29577



First in Service

Expiration Date: May 31, 2020

Myrtle Beach, South Carolina

Not valid unless certified for
the full amount of the license.

This license expires as specified above.

Licensed business to be conducted
in conformity with and subject to
the provisions of the ordinances
of the City of Myrtle Beach and the
laws of the State of South Carolina.

Date Issued: Apr 29, 2019

Mary C. McDowell
MARY C. McDOWELL, DIRECTOR OF FINANCIAL SERVICES

Business License Pocket Cards- Please Detach and Retain.

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Effective Date: Jun 01, 2019

License #: 27191

Business Description:

SCOOTER RENTAL

Business Location:

109 S KINGS HWY

Business Name:

GIL SCOOTER/NOTHING OVER \$7

Legal Name of Business:

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Person Responsible:

OR YAKOEL EFRATI

109 S KINGS HWY

MYRTLE BEACH, SC 29577



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Effective Date: Jun 01, 2019

License #: 27190

Business Description:
RETAIL BEACHWEAR STORE

Business Location:

109 S KINGS HWY

Business Name:

NOTHING OVER \$7.99

Legal Name of Business:

EVERY LLC

Person Responsible:
OR YAKOEL EFRATI

109 S KINGS HWY
MYRTLE BEACH, SC 29577



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MARY C. McDOWELL, DIRECTOR OF FINANCIAL SERVICES



3RD AVE.

**GOFT CARTRIS
& SCOOTERS**
843-945-9800

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Existence

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

EVRY, LLC, A Limited Liability Company duly organized under the laws of the State of South Carolina on November 16th, 2011, with a duration that is until October 27th, 2076, has as of this date filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to section 33-44-809 of the South Carolina Code, and that the company has not filed articles of termination as of the date hereof.

✓

A large, dense, circular scribble made of many overlapping loops, likely a signature or mark.

Given under my Hand and the Great
Seal of the State of South Carolina this
22nd day of November, 2011.

13-14

A handwritten signature in cursive script that reads "Mark Hammond".
Mark Hammond, Secretary of State

South Atlantic Bank

January 24, 2020

To Whom It May Concern:

At South Atlantic Bank, we consider the opportunity to service our client's financial needs a privilege. Our primary goal is to provide them with effective, competitive products accompanied with superior client service. I am writing on behalf of Evry, LLC.

This letter is to verify that Evry, LLC has commercial accounts at South Atlantic Bank. The accounts are in good standing.

If I can be of further assistance, please do not hesitate to contact me at 843-839-4961.

Kindest Regards,



Angie Potter
Assistant Branch Management
Banking Officer