
1 **2023-8 (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 DERRICK AND BARBARA HAYNES D/B/A/ KICKBACK KORNER
 5 LLC, KICKBACK CORNER GOLF CARTS, LOCATED AT 506 YAUPON
 6 DRIVE, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR. THE
 7 AGREEMENT INCLUDES 20 GOLF CART 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 20 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.

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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 DERRICK AND BARBARA
HAYNES D/B/A KICKBACK KORNER
LLC, KICKBACK CORNER GOLF
CARTS, LOCATED AT 506 YAUPON
DRIVE, MYRTLE BEACH, SC 29577,
FOR A PERIOD OF ONE YEAR. THE
AGREEMENT INCLUDES 20 GOLF
CART DECALS.

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 DERRICK AND BARBARA HAYNES D/B/A KICKBACK KORNER LLC, KICKBACK KORNER GOLF CARTS, LOCATED AT 506 YAUPON DRIVE, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 20 GOLF CART VEHICLES.

This ordinance shall take effect immediately upon adoption.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

First reading: 3-14-2023
Second reading: 3-28-2023