
1 **2023-15 (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 BAYLISS SPIVEY D/B/A/ KOA CAMPGROUND, LOCATED AT 613**
 5 **5TH AVENUE SOUTH, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE**
 6 **YEAR. THE AGREEMENT INCLUDES 50 GOLF CART DECALS.**

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

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 10 **Brief:**

- 11 • After experiencing several weekends when the # 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 2023 franchisee is requesting an additional 50 golf cart plates, totaling
 15 100 golf cart decals.
 - 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 • Ordinance 2017-56, approved 1/9/18 in consultation w/ the business owners, approved
 21 the framework of a franchise agreement similar to the system in place for taxis.
- 22 • The franchise ordinance requires annual renewals.

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 24 **Issues:**

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

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 34 **Public Notification:** Normal meeting notification

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 36 **Alternatives:**

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

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

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 42 **Manager’s Recommendation:**

- 43 • Staff recommends limiting the number of decals to 50. We do not recommend adding more
 44 conveyances to this franchise. While we sympathize with the applicant, we do not see how
 45 the City can justify additional decals for this franchisee without also considering requests
 46 for additional decals from other franchisees.
- 47 • The purpose of establishing the franchise system was to cap and limit the number of golf
 48 cart and moped conveyances on the street with the overall goal of reducing the total
 49 number of conveyances over time. 1st reading (3.14.23)

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 51 **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
BAYLISS SPIVEY D/B/A KOA
CAMPGROUND LOCATED AT 613 5TH
AVENUE SOUTH, MYRTLE BEACH, SC
29577, FOR A PERIOD OF ONE YEAR.
THE AGREEMENT INCLUDES 50 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 BAYLISS SPIVEY, D/B/A KOA CAMPGROUND, LOCATED AT 613 5TH AVENUE SOUTH, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 50 GOLF CART DECALS.

This ordinance shall take effect immediately upon adoption.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

First reading: 3-14-23
Second reading: 3-28-23