

1 **2023-7 (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**
4 **BEACH TO JACK ZAKHRA D/B/A/ ZEUS MB LLC, HAPPY SCOOTER,**
5 **LOCATED AT 311 3RD AVENUE SOUTH, MYRTLE BEACH, SC 29577, FOR A**
6 **PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 50 GOLF CART**
7 **DECLAS AND 13 MOPED 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 50 golf cart plates and 13 moped plates,
16 the same # as was awarded in 2022. The applicant is swapping out 23 moped
17 plates for an equal number of golf cart plates.
 - 18 ▪ For 2017 the # of mopeds was capped at the # that each company had in
19 service during the summer of 2016.
 - 20 ▪ For 2017 the # of golf carts was capped at the # each company had in service
21 for 2016 + the # already ordered at the time the moratorium was imposed.
- 22 • Ordinance 2017-56, approved 1/9/18 in consultation w/ the business owners, approved
23 the framework of a franchise agreement similar to the system in place for taxis.
- 24 • The franchise ordinance requires annual renewals.
- 25 • No changes since 1st reading.

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27 **Issues:**

- 28 • Franchising allows Council to restrict the # of mopeds & golf carts available for rental,
29 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 assist law enforcement to track operational violations.
- 32 • This proposed ordinance:
 - 33 ▪ Sets the location for rental conveyances.
 - 34 ▪ Sets the # of rental conveyances allowed/location.
- 35 • Agreement is for a 1-year period, & must be re-approved annually.

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37 **Public Notification:** Normal meeting notification

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39 **Alternatives:**

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

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

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45 **Manager’s Recommendation:**

- 46 • I recommend 1st reading (3.14.23)
- 47 • I recommend approval (3.28.23)

48
49 **Attachment(s):** Ordinance, franchise agreement, & franchise application.

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ORDINANCE 2023-7

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 JACK ZAKHRA D/B/A
ZEUS MB LLC, HAPPY SCOOTER,
LOCATED AT 311 3RD AVENUE
SOUTH, MYRTLE BEACH, SC 29577,
FOR A PERIOD OF ONE YEAR. THE
AGREEMENT INCLUDES 50 GOLF
CART DECALS AND 13 MOPED
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 JACK ZAKHRA D/B/A ZEUS MB LLC, HAPPY SCOOTER, LOCATED AT 311 3RD AVENUE SOUTH, MYRTLE BEACH, SC 29577, FOR A PERIOD OF ONE YEAR. THE AGREEMENT INCLUDES 50 GOLF CART DECALS AND 13 MOPED 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