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1 **2022-32 (2<sup>nd</sup> READING): GRANTING A BOARDWALK VENDOR FRANCHISE**  
2 **AGREEMENT FOR THE 6<sup>th</sup> AVE N PORTION OF THE PUBLIC BOARDWALK**  
3 **OF THE CITY OF MYRTLE BEACH TO KEISHA MOYD FOR A PERIOD OF**  
4 **TWO YEARS BEGINNING JUNE 28, 2022 AND ENDING JUNE 28, 2024**

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5 **Applicant/Purpose:** Staff/to select a Boardwalk vendor for 2 years beginning 6.28.22.  
6

7 **Brief:**

- 8 • There are 4 existing Boardwalk franchises at the following locations:
  - 9 ○ 3<sup>rd</sup> Ave., N
  - 10 ○ 4<sup>th</sup> Ave., N
  - 11 ○ 5<sup>th</sup> Ave., N
  - 12 ○ 6<sup>th</sup> Ave., N
- 13 • There is 1 open Boardwalk vendor franchise location at:
  - 14 ○ 5<sup>th</sup> Ave., N
- 15 • No changes since 1<sup>st</sup> reading.  
16

17 **Issues:**

- 18 • Proposal calls for a 2 yr. agreement w/annual franchise fee of \$1,000/year.
- 19 • Normal Franchises are for 3 year, but due to turn over the sequencing is skewed.  
20 This two year franchise will help staff try and get the franchises in synch.
- 21 • Proposed agreement:
  - 22 ○ Requires vendors to insure the City.
  - 23 ○ Prohibits vending at other locations.
  - 24 ○ Limits operational hours to 6 AM – 11 PM.
  - 25 ○ Requires vendor to provide services each day between June 1 and August 31
  - 26 ○ Requires off-site storage of carts.
  - 27 ○ Requires proper litter receptacles & clean-up materials.
  - 28 ○ Prohibits verbal solicitations, & amplified sounds.
  - 29 ○ Requires vendor to provide pedestrian boardwalk passage.  
30

31 **Public Notification:** Normal Meeting Notification.  
32

33 **Alternatives:**

- 34 • Do not allow boardwalk vendor franchises.
- 35 • Re-bid this franchise opportunity.  
36

37 **Financial Impact:** City will receive annual Franchise Fee of \$1,000/vendor & annual Business  
38 License revenues based on sales.  
39

40 **Manager's Recommendation:**

- 41 • I recommend 1<sup>st</sup> reading (6.14.22)
- 42 • I recommend approval (6.28.22).  
43

44 **Attachment(s):** Proposed ordinance, franchise agreement

ORDINANCE 2022-32

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3  
4 CITY OF MYRTLE BEACH  
5 COUNTY OF HORRY  
6 STATE OF SOUTH CAROLINA  
7

GRANTING A BOARDWALK VENDOR  
FRANCHISE AGREEMENT FOR THE 6<sup>th</sup>  
AVE N PORTION OF THE PUBLIC  
BOARDWALK OF THE CITY OF MYRTLE  
BEACH FOR A PERIOD OF TWO YEARS  
BEGINNING JUNE 28, 2022.

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12  
13  
14 WHEREAS, the City of Myrtle Beach anticipates the convenience of its tourist and  
15 residential population requires an efficient and effective franchise program for  
16 consumables on the Myrtle Beach Boardwalk; and

17  
18 NOW, THEREFORE, PURSUANT TO THE FRANCHISE POWER OF THE CITY OF MYRTLE  
19 BEACH, and in consideration of the foregoing premises and the mutual promises of  
20 each to the other made agree as follows:

21  
22 The City of Myrtle Beach grants a Boardwalk Vendor Franchise to Keisha Moyd, which  
23 shall become effective upon the execution of the Boardwalk Vendor Franchise  
24 Agreement, attached hereto.

25  
26 This ordinance is effective on June 28, 2022.  
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28  
29  
30 \_\_\_\_\_  
BRENDA BETHUNE, MAYOR

31  
32 ATTEST:

33  
34  
35 \_\_\_\_\_  
36 JENNIFER ADKINS, CITY CLERK

37  
38 First reading: 6-14-2022

39 Second reading: 6-28-2022